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The Right Hon. Henry Grattan.

THE

SPEECHES

OF THE

RIGHT HONOURABLE

HENRY GRATTAN,

IN THE IRISH,

AND

IN THE IMPERIAL PARLIAMENT.

26969 al

EDITED BY HIS SON.

IN FOUR VOLUMES.

VOL. I.

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DEDICATION.

TO THE

PEOPLE OF IRELAND.

I DEDICATE to you the following Speeches, for to you they peculiarly belong; they were delivered in defence of your rights and your liberties; and they contributed to make Ireland an independent nation.

They abound with precepts of philosophy, of morality, and of religion; and are founded in the spirit of genuine liberty. They furnish instruction to statesmen and to ministers, and contain advice for the people and the King.

If they should contribute to the public good, they will accomplish the object of a life passed in the service of his country.

And that the principles which they contain may tend to make the Sovereign secure and beloved, and *his subjects prosperous and free*,

Is the hereditary wish

of your Countryman,

HENRY GRATTAN.

Dublin,
November, 1821.

CONTENTS

OF

THE FIRST VOLUME.

			Page
INTRODUCTION			ix
Character by a member of the University of Dublin, 1789			xxxvii
——— by Mr. Courtnay, 1808			xxxix
Extract from the Memoirs of James Earl of Charlemont, by Francis Hardy			xl
——— from the Historical Anecdotes of the Legislative Union between Great Britain and Ireland, by Sir Jonah Barrington			xli
Character by the Rev. Mr. Croly			xlv
Poetry			lxxvi

*Thus marked * are the principal Speeches.*

1778.			
Feb.	2.	* Mr. Robert Stewart's Motion regarding the Expences of the Nation	1
	6.	Mr. Grattan moves an Address to His Majesty, setting forth the distressed State of the Irish Nation	13
1779.			
Oct.	12.	Mr. Grattan moves an Amendment to the Address to the King, requiring a Free Trade for Ireland	20
Nov.	10.	Mr. Grattan defends the Volunteer Associations, and the Right of the Constituent to instruct his Representative	25
	24.	Mr. Grattan moves that it would be inexpedient to grant New Taxes	30
		List of Members who voted against the Motion	32
	25.	Mr. Trench's Motion to grant the Loan Duties for Six Months only	33
		List of Members who voted for and against a Six Months' Money Bill	36
1780.			
April	19.	* Mr. Grattan moves the Resolution, declaring the Right of the Irish Nation to be bound only by her own Parliament	38

			Page
1780.			
April	19.	List of Members who voted against Mr. Grattan's Motion	54
May	24.	The Speaker's (Pery) Speech on presenting the Money Bills	55
	29.	Mr. Gervase Parker Bushe's Motion to introduce an Irish Mutiny Bill	57
Aug.	16.	Mr. O'Hara moves an Amendment to limit the Duration of the Irish Mutiny Bill	62
		List of Members who voted for and against a perpetual Mutiny Bill	79
Sept.	2.	Close of the Session: Speech of Lord Lieutenant (Buckinghamshire)	81
1781.			
Oct.	9.	Opening of Parliament. Speech from the Throne, of the Lord Lieutenant (Carlisle)	82
Nov.	13.	Mr. Grattan moves for leave to introduce Heads of a limited Mutiny Bill	85
		List of Members who voted for and against a perpetual Mutiny Bill	89
Dec.	7.	Mr. Grattan moves for a Committee to inquire into the State of the Public Expences	94
	22.	The Speaker's (Pery) Speech, on presenting the Money Bills	97
	25.	Mr. Gardiner moves for leave to introduce a Bill for the Relief of the Roman Catholics	98
1782.			
Feb.	15.	Roman Catholic Relief Bill	99
	18.	The same	100
	20.	The same	101
	22.	* Mr. Grattan moves an Address to His Majesty, declaring the Rights of Ireland	104
		List of the new Administration	121
April	16.	Mr. Grattan moves an Amendment to the Address to His Majesty, declaring the Rights of Ireland	122
May	27.	* Mr. Grattan moves an Address to His Majesty, for his gracious Answer to their Declaration of the Rights of the Irish Nation	131
		Copy of the King's Answers to the Addresses from the Irish Parliament	136

1782.			Page
May	31.	Grant to Mr. Grattan	138
June	14.	Mr. Flood's Motion regarding the Simple Repeal of 6 Geo. I.	143
July	19.	* Mr. Flood's Motion respecting the Declaratory Act of 6 Geo. I.	145
		Change of Ministry	167
	23.	Mr. Flood moves an Amendment to the Address to the Lord Lieutenant, with reference to the Declaratory Act of 6 Geo. I.	168
	27.	Speech of the Lord Lieutenant (Duke of Portland) at the close of the Session	170
1783.			
Oct.	14.	Meeting of Parliament	172
		Death of Chief Baron Burgh	174
		Change of Ministry	175
	28.	* Dispute between Mr. Grattan and Mr. Flood	176
Nov.	3.	Mr. Flood moves an Address to His Majesty, stating the Expences of the Country, and praying for a Reduction in the Army	186
	10.	Sir H. Cavendish moves for a Retrenchment in the Expences of the Kingdom	188
	29.	Mr. Flood moves for leave to bring in a Bill for the more equal Representation of the People in Parliament	191
Dec.	22.	Speaker's Speech on presenting the Money Bills at the Bar of the House of Lords	195
1784.			
Feb.	18.	Address to the Lord Lieutenant (Northington)	196
		Change of Ministers	198
March	20.	Mr. Flood moves the committal of a Bill, for the more equal Representation of the People in Parliament	198
	31.	Mr. Grattan moves certain Resolutions respecting the Salaries of the Officers of Revenue	201
		His Reply	207
1785.			
Jan.	21.	* Meeting of Parliament. Address to the Lord Lieutenant (Duke of Rutland)	208
Feb.	11.	Mr. Orde introduces the Propositions regarding the Trade between Great Britain and Ireland	214

1785.			Page
Feb.	14.	Militia	217
	28.	Commercial Propositions	220
June	13.	Mr. Orde proposes an Adjournment	222
Aug.	2.	Mr. Orde proposes an Adjournment	224
	11.	Mr. Flood moves his Resolution, regarding the Commercial Propositions	226
	12.	* Mr. Orde moves the Commercial Propositions	229
	15.	Copy of the Commercial Propositions	250
		Mr. Orde submits his bill on the subject of the Commercial Propositions	255
Sept.	5.	Resignation of the Speaker (Mr. Pery)	261
	6.	Address to the Lord Lieutenant	263
1786.			
Feb.	9.	* Mr. Conolly's Motion relative to the Taxes granted, on the faith that the Irish Propositions would be acceded to	269
March	13.	* Mr. Forbes presents his bill to limit the Amount of Pensions	279
	21.	Speaker's Speech	289
	22.	Police Bill for the City of Dublin	290
	25.	Police Bill	295
		The same	297

APPENDIX.

1782.			
June	11.	Mr. Flood's Speech on Simple Repeal of 6 Geo. I.	301
	14.	Mr. Flood's Motion on the subject of Simple Repeal	312
		Mr. Grattan's Remarks on Mr. Flood's Argument on Simple Repeal	323
1783.			
Nov.	1.	Mr. Flood's Defence in answer to Mr. Grattan	327

INTRODUCTION.

These volumes may serve as an Index to the History of Ireland. They explain the form of government prior to the period of 1782, and the oppressive laws imposed upon the Irish people, and show by what measures their situation was altered and improved; they set forth the condition of the Roman Catholic, and the progress made in repealing the laws by which he was aggrieved; they comprise the best period of the Irish nation, the rise and fall of her Independent Constitution.

The speeches have been collected from the most authentic sources to which the Editor could procure access. Some of them never appeared in Mr. Grattan's life-time, and many of them were revised or noted by him. The matter which it was thought necessary to connect with the several speeches, has been carefully selected; but where the subjects are so numerous and various, errors may have inadvertently occurred. The list of the divisions on some important questions have been inserted, with a view to render justice to the memory of honourable men, and to transmit to posterity the names of those who stood forward in defence of the Freedom and Constitution of their Country.

Mr. Grattan seldom wrote out more than the heads of his speech, and the principal arguments on which he meant to rely, and it was only at the instance of his friends that he could be induced to

give in writing the substance of what he had spoken. There remain several abstracts of important subjects, but in a state too imperfect to be of any service. Several of his speeches have, in consequence, been lost, and among these several of the early ones, which he always considered as the best. Nothing remains of those on the Irish embargo in 1776; on the employing 4000 Irish troops in America; on the repeal of Poyning's law; the Irish tenantry bill, the pension list, and the free trade in 1779. At that period, the debates in the Irish parliament were not reported with any degree of correctness, so that not only the speeches in question, but those also of the other leading characters of that day, are for ever lost to posterity. It is to be regretted, that Mr. Flood has left but little behind him, and that Mr. Burgh, Mr. Daly, and Mr. Yelverton, have left nothing. We can form no just idea of their ability, of their eloquence, of their constitutional principles, and their able arguments on behalf of the freedom of their native land; and though the fame of these great men is known by their acts, and though it lives, recorded in the annals of their country, yet justice is not rendered to their memory, since it remains deprived of the bold and splendid monuments which were reared by these strenuous asserters of liberty, and which would have perpetuated the eloquent evidence of their virtues, their talents, and their achievements.

The style of Mr. Grattan's speaking was strikingly remarkable,—bold, figurative, and empassioned; always adapted to the time and circumstance, and peculiarly well suited to the taste and temper of the audience that he had to address. His speech on the declaration of right, it is said, was delivered with a

singular degree of enthusiasm, and some individuals who were present declared that, towards the conclusion, they almost fancied it was the speaking of a man who was inspired. Much must be attributed to the spirit-stirring subject then under discussion; much also to the fervent character of Irish eloquence, and last, though not least, to the ardent genius and animated nature of an individual whose mind was fraught with a just sense of his country's wrongs, and who was impelled by the powerful motives of affection, of duty, and of patriotism.

Towards his latter days, *paulo deferbuerat oratio*. In the latter part of his career, his arguments were more closely arranged; there was less ornament, but more fact and reasoning, less to dazzle the sight, and more to convince the understanding; there was nothing open, nothing chinky, it was welded iron, it was beaten steel, it was a panoply on all sides round, *undique tectum, tutumque*.

Perhaps nothing was more remarkable than the difference in the auditory that he had to address in the Irish and the Imperial Parliament, and the complete success that attended his efforts in both countries. In the English House, his course was comparatively tranquil; but in Ireland it was different, *hoc opus, hic labor*, he had to awaken and inspirit an oppressed nation, not yet grown to a knowledge of her rights, or a sense of her importance; to inculcate in the minds of the people, the value of a *free* Constitution; to mark the wrongs to which they had been doomed to submit; to instruct them what they had a right to demand; and to shake off the chains which had not only curbed their action, but cramped their understanding. Meanwhile they were to be cautioned and protected against the headlong courses almost inseparable from great popular bodies seeking

their long lost rights, and natural even after their recovery; at least that, in shaking off the supremacy of Great Britain, the connection between the two countries should be endangered, and revolution should verge towards separation.

——— Here he had need
All circumspection.

Ireland had been so arbitrarily governed, and the people were so oppressed, that it was a matter of danger as well as boldness, even to state the grievances or the rights of the subject; Molyneux, Swift, and Lucas, were singular and illustrious examples of this melancholy truth, the champions of Irish liberty, and her martyrs; the writings of the first were burned, those of the second prosecuted, and the person of the third was banished. Primate Boulter, in his letters, says the works of Swift endangered the connection; the Irish government offered a reward for the discovery of the author; and proceeded against the printer in a manner the most arbitrary and unconstitutional. The British House of Commons resolved, that the celebrated work of Molyneux, "*The Case of Ireland,*" was dangerous and seditious, and calculated to shake the *dependence* of Ireland upon Great Britain! The grand jury presented the writings of Lucas; the judge condemned them, the House of Commons denounced them, and the author was banished from his country, — that country whose liberties he had asserted. Never was such a thraldom known in any age or nation; the people had neither law nor liberty, nor education, nor manufacture, nor commerce; the House of Commons could originate nothing; the Privy Council could alter or suppress their bills; the Parliament was during the life of the

King; the judges were dependent on his pleasure; the customs and excise were granted to the crown for ever; the mutiny bill was perpetual; manufactures were discouraged, and trade prohibited! As to the Catholics, they were a proscribed race, and possessed neither rights of person, of property, or of religion. An idea of the mode of government can be formed from this circumstance, that it was not until the time of James the First that the murder of an Irishman was considered a crime; it was merely an offence punishable by fine. Such had been the state of Ireland. Every thing was terror, desolation, and rapine!

Time had removed some, and perhaps softened many, of these evils; habit had rendered others less intolerable, and the native character of the inhabitants had done much to mitigate the severity of a barbarous code. But it was not until the period of 1782 that the system was overturned, the last vestige of civil tyranny was effaced, and the dawn of religious liberty at length began to appear. The patriots of that day undertook this Herculean labour; and, determined to cleanse the island from centre to circumference, they commenced with caution, and proceeded with temper, with moderation, and with firmness. Mr. Flood and Mr. Yelverton selected the Law of Poynings; Mr. G. P. Bushe, the Perpetual Mutiny Bill; Mr. Gardiner and Sir Hercules Langrishe, the Penal Code; Mr. Grattan and Mr. Brownlow attacked the Supremacy of the British Parliament; Mr. Burgh and Mr. Daly assisted in all these various operations; and the meetings at Charlemont House superintended and directed the whole. They were at the same time supported by great auxiliaries; the American war; the depressed state of the fortunes

of Great Britain; and the weakness of Lord North's administration. They seized the opportunity with promptitude and judgment; they proclaimed aloud the grievances and injuries of the nation, and the rights and liberties to which she was entitled by compact and by nature. The tone which they assumed was strong, because it was necessary; for the only way to recover the lost liberties of the country was by an appeal to the people. To make that appeal was easy; but to make it with success was a matter of difficulty; and herein consists the great merit of the men of that day, and in particular of Lord Charlemont and Mr. Grattan. They excited a great body; they roused them to a sense of their country's wrongs; they appealed to their spirit; they applied to their passions; they invoked in aid every sentiment and feeling likely to operate on the mind of a sanguine and a sensitive people, — shame, pride, indignity, horror, and revenge. This body they not only called into action, but they directed its resolves, controlled its motions, and guided all its operations, with surprising wisdom and dexterity. Their moderation was the more singular, as their power and resources were great. Not a showy troop of horse, or a raw company of foot, but a *nation in arms*; — the body of the people instructed, trained *, disciplined, and headed by the nobility and aristocracy of the kingdom. Never was there beheld so glorious a crusade in the cause of justice and of freedom. Never was there a political navigation in which lay so many shoals, and so few channels, in which such false lights were held out to the inex-

* See the return and list of the volunteers in the Appendix to the Miscellaneous Works of Mr. Grattan.

perienced mariners; and yet, in which, amidst all the various and complicated dangers that surrounded them, the vessel of the state was piloted with such admirable steadiness and dexterity, not merely in safety, but with triumph.

The singular and memorable Revolution of 1782, designed by Lord Charlemont and Mr. Grattan, was effected by the volunteers; their bold but judicious resolves on the state of the country; their addresses to the popular members; and the answers, or rather the advice given to them in answer; their military meetings; their provincial reviews; their martial air; their regulated deportment, and their temperate language, not merely excited a spirit of liberty, but diffused a union and harmony throughout all classes of men, and contributed to accomplish the object which their leaders had in view. The popular party in the House of Commons, thus encouraged from without, became emboldened, and acquired strength and spirit, feeling such a body at hand to aid and support them. Meanwhile the government beheld in silence, events which it had no longer the power to control. The ministerial party gradually became weaned from their habitual obedience to the mandates of the government. They abated somewhat of their opposition to the measures of the patriotic members; and some of them even held negotiations with the chiefs of the opposition. Thus, by a rare and felicitous union, was that great question carried which Mr. Grattan had so often proposed; thus was a great revolution effected without bloodshed; and thus did Ireland at length become an independent nation.

To the strenuous exertions of a few patriots she owed her liberty; she was also indebted for it to her own moderation; the volunteers stated their griev-

ances simply, but firmly; they felt they had arms in their hands, and knew they would be more formidable if they used the language of discretion. With a host of grievances they avoided clamour; with many threats to deter, and artifices to deceive, they stood firm and unmoved; and, with great and grave authority to mislead them, they remained unseduced and unterrified. After they had recovered the independence of their country, they proceeded no further, and in their moderation they discovered true greatness. They form an æra in the history of mankind; they exhibit to posterity a splendid example; and show what a nation can achieve, when governed by a spirit of union, and influenced by the principles of liberty.

To establish Mr. Grattan's fame for eloquence, a few select speeches might have sufficed; but to preserve the record of his political life was a service of greater value. To transmit the entire of his public conduct to posterity, was a debt due not only to the individual, but to the nation; on his part to show his early and incessant anxiety for her welfare; his repeated efforts on her behalf; his attachment to Irish independence and to British connection; to the interest of the Protestant as well as the rights of the Catholic; and, in the service of both, his long, his unwearied, and, to use his own words, *his desperate fidelity*. On the part of Ireland, too, it was incumbent to pourtray her wrongs; her struggles for freedom; her deliverance from political thraldom; her progress in the cause of civil and religious liberty; and likewise to record the noble efforts of those patriotic men, who, in 1800, were proof against temptation and menace; and who under every disadvantage honourably stood forth to defend and preserve her independent constitution, and remove

from their character the lasting disgrace, of having basely sold the rights and liberties of their country.

Mr. Grattan's argument on the question of simple repeal, and Mr. Flood's two speeches, together with his defence, have been inserted in the Appendix to the First Volume. It was the wish of Mr. Grattan that they should be published along with his "Remarks:" the point in dispute can at the present day occasion no interest; to many it will appear to have been originally of little moment. Whether the claim of England to make laws for Ireland was extinguished, by an act of repeal, or renunciation, or disclaimer: whether the proceedings were simple or complex, effected by a single act of parliament, or by a course of treaty (which latter was the case); can now be of little concern, and at the moment was not worth the cavil, inasmuch as the question was effectually settled; 1st, Ireland and her volunteers having denied and resisted the claim of England, and, 2nd, England, her parliament and her courts of judicature, having ceased to exercise the power. It was factious, therefore, to complain of the wording of a measure which *in effect* was accomplished, and was fully guaranteed by the consent of the constituted authorities of both islands. The question, however, gave rise to more serious consequences than the memorable dispute between Mr. Grattan and Mr. Flood. It tended to excite a spirit of discontent in Ireland; to create a distrust of England; and, at the very moment that the latter was yielding to measures most advantageous and beneficial to the former, it cast a doubt on her sincerity; it checked the full career of national gratitude, and sowed in the Irish bosom fresh seeds of jealousy, when every feeling should have been that of concord, and every senti-

ment should have been that of satisfaction. Further, it destroyed the friendship that subsisted between two individuals, whose co-operation could never have been so well employed as in the service of their country; and whose united efforts, as it subsequently appeared, were but scarce sufficient, (as they were indispensably requisite,) to secure the new-born freedom and commerce of their country.

The chief measures that Mr. Grattan supported, and many of which he proposed and carried, were as follows:—the Free Trade of 1779; the Tenantry Bill of 1780 *; the Independent Constitution of 1782; the Repeal of the Law of Poynings, brought in by Mr. Yelverton; a limited Irish Mutiny Bill, introduced by Mr. Gervase Parker Bushe; the Roman Catholic Bills of 1778 and 1781, proposed by Mr. Luke Gardiner; that of 1792, by Sir Hercules Langrishe; that of 1793, brought in by Mr. Hobart; that in the Imperial Parliament, in 1813. Besides these, were various measures and resolutions, which he proposed in the Irish parliament in favor of the Roman Catholics; the proceedings of the opposition,

* Leases of lives renewable for ever is a species of tenancy very common in Ireland. Unless the tenant, on the expiration of the lives, applied within a given time for new ones his interest was gone; and to preserve the tenant's right from forfeiture, was the object of this bill. The circumstances attending the measure strongly mark the sense of justice which actuated Mr. Grattan. An intimate friend of his requested him to delay the bill *for ten days*, in order that he might institute legal proceedings, and render void leases of very considerable value, but Mr. Grattan refused the request. His own case, however, was more remarkable. Much of his property consisted in tenancies of this sort; and a very valuable lease had been forfeited to him, and would have augmented his income more than a thousand a year, but he waived the forfeiture, sent to the tenant, granted the renewal, and, accepting the old rent, thus gave away for ever his right to a considerable property.

with regard to the Prince of Wales, at the period of the regency, in 1789; the Place Bill; the Pension Bill, and the Responsibility Bill, brought in by Mr. Forbes; various motions regarding tithes, regarding retrenchment; to control the public expenditure; to reduce the commissioners of Excise and Revenue; to regulate the Channel trade; to obtain for Ireland a trade with China and the East Indies; the bill for Reform in Parliament, brought in by Mr. W. B. Ponsonby, which he declared was excellent in its provisions, and indispensable for the liberties of Ireland.

The principal measures which he opposed were the celebrated Commercial Propositions, introduced by Mr. Orde, as altered by Mr. Pitt; the sale of honors in the House of Peers, to purchase seats for government in the House of Commons; the proceedings adopted on the recal of Lord Fitzwilliam; the Convention Bill, introduced by Lord Clare; the measures pursued in the administration of Lord Camden; the Gunpowder Bill; the Disarmament of the North; the Proclamation of General Lake, and the excesses of the Military: these all called forth his strenuous opposition.

In 1800 *he came into Parliament purposely to oppose the Union.*

In the Imperial Parliament he repeatedly introduced the Roman Catholic Question, and nearly succeeded in carrying his Bill through the House, the measure being defeated only by a majority of four. The other questions of moment on which he spoke, were the Orders in Council; the Walcheren Expedition; the motion of Lord Archibald Hamilton, regarding Lord Castlereagh; the question of Irish Tithes; the grant to Maynooth College; the Irish

Convention Act; the Irish Insurrection Act; the War with Buonaparte in 1815; and some local measures with regard to Ireland: these comprise almost the whole of his parliamentary career.

The speeches on the Declaration of Right and on the Roman Catholic Question, are those best preserved, and afford fine specimens of eloquence: they are conceived in the genuine spirit of freedom and toleration, and are replete with practical lessons of charity and religion.

When the Catholic Question was first introduced in the Irish House, Mr. Grattan, (and Mr. Denis Browne who supported it) could scarcely obtain a hearing, and such was the spirit of the times that, when the petition of the Roman Catholics was rejected, Sir Henry Harstonge brought it down to the bar and actually kicked it out of the house. The question, however, gradually made way: it was enforced by Mr. Grattan with peculiar earnestness; for his uniform opinion was, that *that* question must decide the fate of Ireland as a nation; and that no other method remained for the country to preserve her constitution, except by enrolling all classes in her ranks, and imparting to all her citizens equal rights and privileges. Concessions to the Roman Catholics had gone, *Pari Passu*, with the free trade and independence of the country; the relaxations, in 1778 and 1781, were mainly instrumental to carry the great events of 1779 and 1782; impressed with the idea of its extreme necessity, Mr. Grattan urged repeatedly the question of Emancipation; and never did he prophesy so truly as when he exclaimed, "*The day you reject the Catholic Question that day you vote the Union.*" He entertained in the Imperial Parliament a similar sense of its importance, and in one of his

latter speeches he, in like manner, says; "*The day you reject the Catholic Question you vote the Separation of the two Countries.*" The paper which he dictated a few hours before his death, contains a further confirmation of this, his solemn conviction.

The Commercial Propositions in 1785, drew forth the active opposition of the aristocracy of Ireland, and roused all the spirited exertions of Mr. Grattan and Mr. Flood. It was Mr. Grattan's opinion, that if adopted as at first proposed they would have served Ireland, but he advised that Mr. Orde should not stir the question, unless he was certain that it could be carried. The minister, however, pretended or imagined that he could succeed, and accordingly ten resolutions were proposed; but when to these were added ten more, prepared by Mr. Pitt, one of which required the assent of the Irish parliament to all commercial acts, to be adopted by Great Britain, the Irish people naturally imagined that this was an attempt by the British minister, to reassume for his country a legislative power over Ireland, and they loudly exclaimed against them. At the Irish propositions England grew alarmed for her commerce; at the English propositions, Ireland trembled for her constitution. The English manufacturing towns were seized with a panic, and under that influence they loaded the table of the House of Commons with petitions, most numerous, and in their sentiments and apprehensions the most extravagant. The Bill introduced by Mr. Orde was accordingly condemned, and the measure was prudently abandoned.

The subject of tithes was one that occupied much of Mr. Grattan's attention. His labour and research on that question were immense. The papers, the statements, and calculations, from various parts of the

country, on that important subject, and his remarks upon them, would comprise a large volume; and the facts which they state, and many of which appear in Mr. Grattan's speeches, furnish strong and melancholy proofs of the great defect which still exists in this part of the domestic system in Ireland. The Barren Land Bill was the only part of his plan which succeeded. Prejudice and interest roused a powerful body to oppose a measure which would have protected the peasantry from great oppression, — have secured to the church an ample provision, and which many individuals of the establishment afterwards regretted had not proved successful.

The Regency was the first and severest trial of the Irish constitution. When the accounts of His Majesty's illness, in 1789, arrived from England, it was contended by the partisans of the government that the interference of Ireland was an usurped exercise of right, and one incompatible with the connection between the two countries. Such arguments, and such terrors, eagerly propagated by the old opponents of the independence of the country, were refuted by the event; and by the conduct of the leaders of the opposition, who showed that the regard with which they viewed the connection between the two countries was not less sacred than that which they entertained for the constitution.

Mr. Grattan took a principal and a decided part on that occasion; and whatever of faction (if any there was) that mixed in the proceedings of that day, none can be traced to him. His determination (if his friends had come into power) was, like that in 1782, in 1795, and in 1806, *not to accept office.* He maintained that the Prince of Wales should be appointed Regent of Ireland, without restrictions;

and he defended the claim of Ireland to interfere in such appointment; pointing out how the rights of the people should be exercised on such an emergency, so as to uphold the prerogatives of the crown; and, during the virtual though temporary demise of the sovereign, to preserve them inviolate in whose hands soever Parliament might think proper to entrust them.

The question was, however, considered by Mr. Grattan as an unfortunate event for Ireland. It showed the only point where separation was perceptible. It furnished timid men with plausible, though groundless, apprehensions. It made an enemy of the minister, and it made no friend of the King.

In addition, it led to the hostility of the Lord Lieutenant, who refused to comply with the resolutions of the Lords and Commons, declaring that to transmit their address to the Prince of Wales would be incompatible with his oath of office. The consequence was a contest between him and both houses of parliament, and a vote of censure was passed on his conduct, which caused his departure from the kingdom. Then followed the introduction of corrupt practices in the government, of corrupt individuals into parliament, the sale of peerages, the promotion of Lord Clare to the seals, and the singular selection of a new Lord Lieutenant in the person of the Earl of Westmorland. Mr. Grattan, Mr. Ponsonby, and Mr. Curran complained and remonstrated against these measures loudly and repeatedly — but in vain.

The next important crisis, and (like the preceding) an unfortunate one, that occurred in Ireland, and in which Mr. Grattan took a leading part, was the eventful period of Lord Fitzwilliam's administration. The year 1795 was the season of national hope and

disappointment; one that produced consequences long after felt, and left impressions scarcely yet removed from the minds of the people of Ireland. The spirit and intention of Lord Fitzwilliam's appointment was concession. So it unquestionably was considered by the leaders of the opposition. There was a clear and distinct understanding with the British minister that something should be done for Ireland. Mr. Grattan had gone over to London, and had several meetings and conferences with Mr. Pitt; *and such was his impression.* He accordingly acted on this idea, and with all that promptitude and boldness which formed, perhaps, the most prominent feature in his character. On the arrival of the Lord Lieutenant, he moved the address to His Majesty, in his instance, a novel and unprecedented occurrence; and he shortly after urged, without delay, those measures to which his party stood pledged, and which he conceived to be necessary for the welfare of the country. He was induced to press them thus rapidly, because after the Duke of Portland had condemned Mr. Pitt's government in Ireland, the acquiescence of Lord Fitzwilliam in the old system would have been productive of greater evils than those even which afterward occurred; inasmuch as it would have shown the people that there was no party of the upper orders in either country on whom they could have the least dependence, and in that case his continuance would have been more productive of insurrection than his recal. Besides, Mr. Grattan well knew the character of the British minister, and was justly apprehensive that his new-born affection for Ireland might cool, and the obligation for the largest supply ever granted by her parliament would be forgotten: the event proved it. The object of the minister had

been gained; — from Ireland he had gotten money for his war; in England he had strengthened his party by detaching the opposition; all friendly disposition towards Ireland, (if ever entertained with sincerity,) was quickly effaced; the plan of conciliation and liberal policy was reversed in an instant; Lord Fitzwilliam was abruptly recalled; Mr. Grattan and his friends were obliged to retire; and the old court returned to power, with hungry feelings on account of their removal, and a keen sense of political resentment.

This proceeding Mr. Grattan never ceased to consider as fatal in the extreme, and one most detrimental to the British interests in Ireland; it not only darkened every ray of hope, but destroyed every vestige of confidence in the British government; and, to use his expression of that day, often repeated since, "*it lost to Great Britain the heart of the Irish nation.*"

If the measures which Mr. Grattan proposed had been acceded to, or an act similar to that of 1817 (opening the army and navy to Roman Catholic officers) had then been passed, or if, without those measures, a system of conciliation, (as of late years begun at last to be adopted,) had then been pursued, and a temperate language had been used towards the Catholics and the people, in his opinion, much of the calamity which followed would have been avoided. But the Irish ministry knew no bounds, they kept *no* terms with the people, and they had *no* statesman or discreet individual who possessed either ability to advise, or authority to restrain them. Mr. Burgh was dead; Mr. Daly was dead; the government would not hearken to Mr. Grattan or Mr. Ponsonby; and the people would not listen to the government:

> Hoc fonte derivata clades
> In patriam populum que fluxit.

The question of war with France in 1794, came under discussion in the Irish parliament, and received Mr. Grattan's support; though he originally agreed with Mr. Fox, in the policy of leaving France to her own distractions, and if he had been in the British parliament would probably have opposed the war in its origin, conceiving that the occupation of Brabant, the opening the Scheldt, and the French decree of the 19th of November, were subjects which rather required explanation than called for war. Yet when the war had commenced and England was involved, he justly conceived that Ireland was bound to afford the utmost aid, and furnish immediate support to Great Britain, for he ever had in mind the principle laid down in 1782, which was introduced into the Address, where he says emphatically "*we remember, and do repeat, our determination to stand or fall with the British nation.*" His opinion on that question, which had caused party to run so high in England, and which had led to the untoward separation between Mr. Fox and Mr. Burke, created no small degree of interest in England, and Mr. Burke often felicitated himself on the part which Mr. Grattan took on that important question: the cases, however, were widely different.

The speeches from 1790 to 1796, which relate to the administration of Ireland, present, it is to be feared, too faithful a picture of the proceedings in those years, and discover the real tendency of the measures adopted by the minister. The sale of peerages, the purchase of seats in the lower house, which the opposition, and in particular Mr. Grattan, Mr. Ponsonby, and Mr. Curran pledged themselves to prove; the creating new places, and the strong measures shortly after introduced, tend to confirm the idea that a plan was then in contemplation to subvert the

independent constitution of Ireland, and recover what had been obtained for the country in 1782, and if any further proof was requisite, it has been given in the declarations of Lord Clare in 1800, that, for eight years preceding, he had been endeavouring to effect the Union.

In 1797, the leaders of the opposition seceded. They proposed the measures which they conceived requisite for the country, and best calculated to secure her internal quiet; Roman Catholic Emancipation, and Parliamentary Reform. Their opinion was that, if either of these measures had been conceded, a great force would have been detached from the disaffected party, and the peace of the kingdom preserved. How far they were right has been proved by subsequent events; the necessity of these measures having been fully admitted by what has taken place in both countries, the Union in one, and a conciliatory disposition now evinced towards the Catholics in the other. With respect to the propriety of bringing forward these subjects at that precise juncture, there may exist some reasonable doubts. Mr. Grattan himself inclined to think the period too late, the times too much agitated, and the crisis too imminent; but it is difficult, when acting with a party, to refrain from urging public measures to which that party stand pledged, and which all men on that side agreed were essential for the safety of the community.

At the general election in 1797, Mr. Grattan addressed a letter to his former constituents, in which he made a statement of the situation of the country, the conduct of her ministers, and declined to stand again for his native city. His health, by close attention, had become impaired; disappointment, natural on the rejection of measures, to the success of

which he attached such vital importance, grief and indignation at beholding the desperate courses pursued by both parties, preyed upon an ardent mind, exquisitely sensible, and unceasingly anxious about the fortunes and the prosperity of his country; all these united, contributed to bear down his constitution; a low nervous fever attacked him, which, for a long period of time, neither change of place or climate, or society could remove. At length the question of Union called him forth, and in 1800 he was elected for the town of Wicklow. News of the return came to him at night; his immediate attendance was required; his friends sent for him; he was at that moment overcome with pain of body and mind, and exclaimed; "*What! will they not allow me to die in peace.*" However he was resolved to go; for public duty and private considerations both impelled him.

——, Æstuat ingens
Imo in corde *pudor*, mistoque insania luctu
Et furiis agitatus *amor* et CONSCIA VIRTUS.

He bade farewell to his family and his friends; for, though he did not fear, yet he had reason to apprehend danger from the fury of the times, the violence of faction, and the vengeance of a resentful and desperate party. He came into the House, supported by Mr. (afterwards Judge) Moore, and Mr. W. B. (afterwards Lord) Ponsonby. Several who beheld the scene, have described it as interesting to a degree. The weak state of the individual, the report that an attack upon him was meditated, the vast importance of the subject in debate, and the awful crisis on which hung the fate of the parliament of Ireland, and that of the independent constitution, of which he was the parent and founder; all these circumstances, which might have depressed an ordinary

mind, and one enfeebled by illness, served only to rouse and inspirit him. He spoke sitting, but with all his wonted fire and animation, and there delivered those speeches, which, while they record his exertions in defence of the Irish parliament, remove from *his* grave the foul disgrace of standing apart while a deadly blow was aimed at the independence of his country.

The dispute between him and Mr. Corry having led to consequences that were settled out of the House, Mr. Grattan thought it more honourable not to publish his reply, in answer to the attack made upon him; but the most accurate account of his speech that could be procured has been given in this collection. The opinions, which, from the outset, he entertained on the subject of Union, never underwent any alteration. He ever continued to think the connexion between the two countries was as secure, the liberties *of both* infinitely more so, and their respective interests likely to be better attended to, by preserving in each a separate and a resident legislature. Independent of constitutional considerations, he foresaw that the emigration of a great portion of the nobility and gentry, and the annual drain occasioned by the absentees, must, of necessity, injure and impoverish the country. His emphatical expression, "*the ocean protests against separation, and the sea against union,*" is recorded in the last speech he ever made; in which he says that his old opinions on that subject remained unchanged.

During the short adjournment of the Irish parliament, when the articles of Union were transmitted to England, he wrote the celebrated answer to Lord Clare's speech, in which he details his opinion upon the system of Irish government, and draws the characters of his early friends, with a talent and in a

style which will preserve their memory to the latest posterity.

After the extinction of the Irish parliament, he withdrew from public life; but when the Catholic Petition was brought forward, at the request of his early, his unchanging, and his much esteemed friend, Mr. Fox, he was again induced to come forward, and through the kind offices of Lord Fitzwilliam, was returned to parliament. This event occasioned no inconsiderable degree of solicitude among his countrymen, who all felt a national anxiety for his success in the House of Commons in England. The case of his contemporary (Mr. Flood) was in some degree similar; and the remarkable words of Mr. Grattan respecting him were still fresh in recollection. "*He was a tree of the forest, too old and too great to be transplanted at fifty,*" was the figure conceived applicable in the one instance, and it now remained to be seen whether it would equally apply in the other.

Perhaps there is not in any country so fair a tribunal, or so competent a judge of talent and of merit, as a British House of Commons. It comprises the different ranks and professions, and represents all the various classes of the community. Possessed of an understanding strengthened and improved by constant habits of business, and a mind fraught with the richest stores of eloquence and of literature, brought to their highest perfection in an age not merely refined but luxurious; — they listen with patience, and they decide with impartiality. Before such an assembly he was to speak. But it was that body whose claims over his country he had denied and rejected, and it was on that very question which they were least inclined to concede. It happened that Dr. Duigenan was at that time in parliament; and, by a speech as singular as any ever deli-

vered in the Irish House of Commons against his countrymen, and as serviceable to the Catholics, afforded an admirable opportunity for Mr. Grattan to reply. His manner was perfectly novel; his style of speaking was unusual; his commencement, too, was peculiar, and not very attractive. For some minutes the house hesitated; but after he had got under weigh, the question was no longer doubtful, and the cheers from all sides proclaimed his complete success.

The most remarkable question that occurred while he sat in the Imperial Parliament, was the French war in 1815; and, on that occasion, he differed from the party with whom he generally acted. In conformity to the principles of the Revolution of 1688, which he ever admired, he entertained a constitutional horror of military governments; he justly thought that standing armies were, from their nature, a foe to liberty, fatal to the morals, the manners, and the simple structure of civilized society; in all countries oppressive, and in most countries destructive. In the government of Buonaparte he beheld nothing advantageous to France, nothing secure for Great Britain, nothing calculated to advance the interests, or promote the happiness, of any single state on the continent of Europe. The events of 1814 had put the French in possession of a charter of rights, which Buonaparte had never given or even offered them; and for the preservation of which, (had he succeeded,) the promise of a soldier must in all cases be but doubtful security. The conduct too of the French and of their Marshals, the rapidity with which they violated their oaths, and set at nought the obligations that bound them to their sovereign; and the treaties that connected them with other powers, left no room to hope that they

would undergo any moral improvement, under the guidance of a man who made every thing subservient to an extraordinary talent and an immeasurable ambition.—The intelligence which Mr. Grattan procured from the continent proved to be correct, and the events which followed, justified his foresight.

As the memoirs of Mr. Grattan are in contemplation, it is not necessary here to go into any details of his private life. The foregoing observations have been introduced, merely to mark the most important points in Irish politics, as the work itself has been collected in the hope that it may throw some light upon the affairs of Ireland, and render some service to that misgoverned country.

A few remarks further will therefore suffice. — Mr. Grattan was born, in 1746, in the City of Dublin, for which place his father was representative in Parliament, and Recorder. He was educated at the University of Dublin, and in 1767 was entered a student of the Middle Temple. His father at an early period of his education had turned his mind to public affairs, and his chief source of delight when at the Temple was attending the debates in parliament. He was struck by the eloquence of Lord Chatham, and it is probable took him for his model. He used to take in writing, the speeches of that celebrated individual, and there remains one almost entire in Mr. Grattan's hand-writing, which does not appear in the public speeches of that distinguished statesman. While at the Temple he wrote the character of Lord Chatham, which is already before the public. Among the cotemporaries of Mr. Grattan was Mr. M'Auly Boyd, at one time the supposed author of Junius; and Mr. (afterwards Judge) Day. For the latter he entertained an affection which was strengthened by years, and which continued to the latest period of his life.

He was called to the Irish bar in 1772. At the interval of his terms he lived much in the society of Mr. Gervase Parker Bushe, who was married to his sister, and in that of Mr. Flood, Sir Hercules Langrishe, dean Marlay (afterwards bishop of Waterford), and many of the distinguished individuals, who, at that period, formed part of the gay, the polished, and the talented circle, that for a short time shone forth in Ireland. With them he partook in the performances at the private theatricals at Farmley, (the seat of Mr. Flood), and at Marlay, (the residence of Mr. David La Touche,) where he wrote an Epilogue to the Mask of Comus, spoken by the accomplished and beautiful Countess of Lanesborough. In concert with Mr. Flood, he wrote some of the pieces which are collected in a work, entitled Baratariana, and which contained remarks on Lord Townsend's administration in Ireland. — Lord Annaly, Mr. Daly, Mr. Burgh, Mr. Yelverton, Col. Marlay, his uncle, (on whose understanding and judgment he set the highest value,) Mr. W. Broome, and Mr. Brownlow, formed the chief of his personal and political acquaintance; but the individual whose society was at that time the general object of attraction, and whose friendship was then the source of infinite gratification to Mr. Grattan, as it ever afterwards was of the tenderest and most pleasing recollection, was the amiable, the accomplished, and the patriotic Earl of Charlemont. At his house were the meetings held by that public spirited party, that did such honour to themselves, and rendered such service to their country, and through his means Mr. Grattan was, in 1775, returned to parliament for the town of Charlemont. For that place he sat until 1790, when he

was elected along with Lord Henry Fitzgerald, for the city of Dublin. In 1797 he declined to offer himself again as candidate. In 1800 he was returned for the borough of Wicklow, to oppose the Union. In 1805 he came into the Imperial Parliament for the borough of Malton, in Yorkshire. At the general election in 1806, he was once more induced to stand for his native city, and was then re-elected. For that place he sat in the several parliaments summoned in the years 1807, 1813, 1818, and 1820. He went over to take his seat in the new parliament, on the accession of His present Majesty; and although afflicted with heavy illness, he insisted on performing the journey, contrary to the advice of his physicians, and the entreaties of his friends. His intention was to have brought forward the Roman Catholic subject, conceiving the adjustment of that question to be one of vital importance to the welfare of the empire; but the complaint with which he had been afflicted, much encreased by the long and painful journey *, rendered this effort ineffectual, and after much suffering, in a few days subsequent to his arrival in London, he expired on the 4th of June 1820, having spent in the public service nearly 45 years.

His private life was not less interesting than his public conduct; a taste for literature — classics — a passion for the country and its rural occupations, engaged the moments when he could abstract himself

* He was so ill that he could not bear a land journey. He went by water from Liverpool to London, in a canal barge, emptied of its lumber, covered with sail cloth, and hung round with garden mats. He sat up in a chair for six days without moving, and continued travelling one entire night, such was his anxiety to perform his last duty to his country!

from public affairs. He loved simplicity, and in his society there was something which not only charmed but fascinated; for he could disengage his mind from the trammels of business, and the hard habits of a politician, with admirable facility. When he discoursed on a subject, he so illumined it that he rendered it clear and visible to the simplest understanding, without making his superiority felt, or even wishing it to be perceived; and, in his conversations, there was something that pleased and instructed, whether the subject was philosophy, politics, or poetry. Age was improved by his dialogues, and Youth was captivated by his condescending manner and his affable disposition; for in his most playful, as in his gravest mood, he possessed the peculiar talent of conveying instruction. It appeared as if in him nature grew more embellished; so that art lost half its effect, and vice grew ashamed of her deformity. His conversations were full of moral, and no individual, however lost to a sense of duty, could have enjoyed his society long, without feeling an inclination to be reformed by his precepts, or his example. He had an innate horror of every thing base or corrupt, and a love of principle, private as well as public; which, united with a contempt for money, went hand-in-hand with a generous feeling for the wants of others.* His life

The following extract from his Will shows the benevolent disposition that actuated him, to the latest period of his life.

"Whereas I have a Reversion in fee in my Queen's County Estates, and if all my children die without issue living, at the time of their death, I leave the said estate back to the public; that is to say, to the following great officers, for the time being: the Provost of Dublin College; the Lord Chancellor of Ireland; the Lord Chief Justice of the King's Bench; the Lord Mayor of Dublin; the Bishop of Dublin, and Judge Day: in trust, to form a foundation

was *one continued, gentle, moral lesson.* It was impossible in his society not to become enamoured with virtue. Of him, as of that kindred spirit by whose side he lies, it may be truly said : —

> A patriot's even course he steered,
> Mid faction's wildest storms, unmoved;
> By all who marked his mind, revered,
> By all who knew his heart, beloved.

Thus did this *Man* live and thus he died, and never was there an individual whose life was more the sport and prey of political rage and tempest; idolized by the people at one moment*; cashiered by them in the next†; denounced as an enemy to his country‡; then deified as the strenuous champion of the constitution§; traduced as the deserter of the civil liberties of his countrymen‖; dismissed as the betrayer of their religious freedom¶; elected by the general voice of the people**; and almost stoned to death in the midst of his native city.

Let not this picture affright or deter others from daring to defend the cause of liberty, rather let it be a useful lesson, and teach us perseverance and firmness, in upholding the freedom and the rights of our country; protecting her against her own inconstancy, and guarding ourselves against the fallibility of human nature.

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for the annual support of unprovided gentlewomen, daughters of poor and meritorious citizens of Dublin, according to such rules and regulations as they shall plan and devise."

* Free trade and independence. † Simple Repeal.
‡ The year 1798. § The Union. ‖ The Insurrection Act.
¶ The Veto. ** 1818.

Attributed to a Member of the University of Dublin. —1789.

"THE emancipators of nations, and the deliverers of their native land from political thraldom, are justly entitled to the warmest retributions of gratitude, both on account of the importance of the benefit, and the difficulty of its achievement. To rouse the languid, to inflame the cold, and to inspire the spiritless, is not the work of common talents or inferior souls; but of transcendant abilities, emulous of distinction, and of superior genius invigorated by patriotism. To perceive the happy moment for rendering their exertions effectual, and seize on the fortunate opportunity which the revolution of time and of accidents has produced, for giving decisive efficacy to their efforts, are instances of sagacity and foresight, of opportune resolution and vigorous determination — which may be extolled, but cannot be exaggerated. So many concurrent circumstances are requisite to shake off the yoke of long-confirmed usurpation, to infuse a contempt of threatened menaces without infringing affection, and to elevate a people from the meanness of servility to the dignity of independence, that, to combine these circumstances, to direct their operation, and to moderate their energy, are marks of such merit as deservedly claims the amplest and richest civic meed that can recompense the worthy citizen.

"Mr. Grattan is one of the most conspicuous ornaments of the Irish senate. To his manly and persevering exertions do we owe an independent legislature, and the gratitude of the nation for the boon, though testified with a munificence becoming its spirit, by no means exceeded the measure of his deserts.

"As a public speaker, Mr. Grattan's voice is thin, sharp, and far from powerful; not devoid of a variety of tones, but these neither rich nor mellow; and though not harsh, its want of an harmonious modulation is often striking. Unequal to impassioned energy it is shrill when it should be commanding, and in its lower notes is sometimes scarcely

* The characters and remarks which follow, have been inserted here with a view to oblige those anxious friends and admirers of Mr. Grattan from whom the editor has received them.

audible, from its hollowness of sound. His management of it is but ill adapted to remedy its natural defects or to supply its deficiencies, as he allows it to spatiate at large, unrestrained by any curb from rule; now raising it to an elevation it cannot bear, and then sinking it to a depth where its distant murmers can be barely guessed at. His language is lofty, magnificent, copious, and peculiarly his own. Not tricked out with the gaudy dress of poetic phrases, nor fatiguing the attention with pompous terms, high sounding and unmeaning; but combining strength with beauty, conciseness with ornament, and sublimity with elegance. Adapted to the exigence of the occasion, it is now a wide spreading conflagration, and anon a concentred fire: now abundant and splendid, then brief and pointed; equally fitted to instruct, delight, or agitate; to soothe the soul, or to awaken and arouse all its exalted and elevated energies.

His delivery admirably accords with the style of his oratory; never languid, or insipid, or cold, but always possessing a pleasing warmth, expressive of feeling and imparting spirit, whilst his pronunciation, generally correct, though frequently rapid, is never crowded or redundant, but distinct and articulate, leaving ample space for strength and propriety of emphasis. In his manner, life, animation, and ardour predominate, and that to such a degree that they fascinate the prejudiced, and invigorate the torpid. From their impulse prostitution forgets for a moment the voice of the minister, and the influence of place, pension, and peerage have but an enfeebled hold.

With comprehensive intelligence embracing a great object, not catching at its parts by detail, he takes in the whole at one glance, and sees instantly the pivot whereon it turns with almost intuitive acuteness. In argument he is strong, pointed, close, and conclusive, never deviating from his subject, never straying in search of extraneous matter, but explaining with success what he understands with facility. He conducts not the mind to the conclusion he aims at by a long chain of abstruse disquisitions, but guides it with seeming ease through the pleasing path of natural illustration. Every man thinks he could reason like him, but when attempted it is found to be the bow of Ulysses. In the refutation of his opponents, he puts forth all his might, and accumulates his force to over-

whelm and oppress them; but his superior genius is most apparent when he enforces what cannot be denied; when he defends the rights of a nation; when he pourtrays the hopes, the fears, the expectations of a magnanimous people; when he threatens the vicious and appals the proud; when he pronounces the panegyric of departed excellence; then he is magnificent, sublime, and pathetic.

"His fund of knowledge is great, and his diligence of acquisition still greater; hence the matter of his speeches is ever of the first impression. Early in life distinguished as one of the best scholars in the university of Dublin, no time since has been lost to increase his first acquirements, and to add to classic and scientific lore, a competent skill in the law, a profound acquaintance with the constitution, and a mastery of polite literature. Thus, to every subject of discussion he comes perfectly prepared, familiar with what it requires, and instantly bringing it forth as the contingence demands; instructing the youthful, and delighting the aged with the mature fruits of a capacious mind, rich in its native produce, and richer from careful cultivation."

For the brilliant eulogy on Mr. Grattan, by Mr. * Burrowes, see vol. iv. p. 22.

Said to have been written by Mr. Courtney.

"Mr. Grattan's rhetorical powers are singularly striking: he arranges his arguments and condenses his expressions with inimitable skill and propriety.

"On the state of Ireland, and the sentiments of the mass of the people, he displays the experience and enlightened mind of a great statesman. He excites irresistible emotion, and commands the stillest attention, by the energy and precision of his style, and originality of his expression.

* This individual was one of the most intimate friends of Mr. Grattan. At the Union he took a decided part for the liberties of his country, and was equally an ornament to the senate and the bar; his speeches on the trials of the Catholics under the Convention act in 1811, reflect honour on the profession. He has been lately appointed a Judge of the Insolvent court; but his proper station is the bench.

"In personal controversy, he devotes his opponents to scorn and contempt by the most poignant sarcasms: he seems to disdain the common weapons of ridicule, as too slight and inefficient, and incompatible with the serious and important object and design of true and genuine eloquence: his constant aim is to stimulate and convince the house. In the fervour of debate, he seems to hazard much by his bold figurative language, and sometimes deviates into broken and mixed metaphors; yet he never falls, but rises with renovated strength into dignity and splendour."

"London, 1808."

From the Memoirs of James, Earl of Charlemont. By Francis Hardy. *

It was the will of providence that Lord Charlemont should sustain a most severe domestic calamity. His brother, Francis Caulfield, an amiable man, representative of the borough of Charlemont was, on his return from England to attend his duty in parliament, lost between Parkgate and Dublin. But so little do we know to-day what the morrow may produce, that this shipwreck, which for some time covered Lord Charlemont's house with mourning, was, at no distant period, the source of much gratification to his feelings as a statesman. By the vacancy which Mr. Caulfield's death

* This individual, so justly deserving of praise for his valuable memoir of that patriotic and accomplished nobleman, (the Earl of Charlemont,) was the attached friend of Mr. Grattan. He contributed to the charms of the domestic circle at Tinnehinch, by his literary acquirements, his refined taste, his agreeable anecdote, and his polished conversations. His private qualities, however, were the least of his recommendations. His public conduct was exemplary. He sat in the House of Commons in the last three parliaments of Ireland, and uniformly supported her rights and interests. At the period of the Union, great inducements were held out to him to procure his support to that measure. By one single vote, he could have raised himself from domestic difficulties and embarrassments to a state of comparative affluence. Some of his acquaintance, more worldly than patriotic, seeing the success of the measure inevitable, advised him to accept the terms; but his integrity could not be warped; his virtue was inflexible; he rejected the advice of his friends, and the offers of the minister, and nobly stood by the falling fortunes of his country.

occasioned in parliament, the electors of Charlemont were enabled, under the auspices of his lordship, to return a man to the House of Commons who was destined to act a more conspicuous part than any one who had ever been deputed to serve there. This was Henry Grattan, a name which will last as long as Ireland has a name among nations. Lord Charlemont always spoke of this election as most flattering to himself, and as an event, amongst innumerable of the kind by which the dispensations of heaven are peculiarly marked, extracting satisfaction and self approbation from the bosom of misfortune, and the triumphs of a nation from the overwhelmings of the deep.

From the Historic Anecdotes of the Legislative Union between Great Britain and Ireland. By Sir Jonah Barrington.

EVERY chief turned his eyes, by almost unanimous assent, to the eloquence and energy of the ardent Grattan.* The favourite of the parliament; the terror of the minister; the intimate friend of the ablest men; and the indefatigable advocate of his country; he seemed most peculiarly calculated to bring forward some great or decisive measure, which should at once terminate the dangerous paroxysm to which the minds of the whole nation were now worked up, and by its decision inform them, whether they were to receive their rights from the justice, or to enforce them by the humiliation of Great Britain.

The period, however, had not quite arrived for this step. Extensive as the abilities of Mr Grattan were, they had many competitors. Jealousies intrude themselves even into the highest minds; the spirit of rivalship is inseparable from great talents; Mr. Grattan's importance was merely individual; and he was then only advancing to that pre-eminence which he soon after acquired over all competitors. Though it was approaching fast, it was evident that it had not indisputably arrived. It was essential that all those parties in the house should be a little more approximated, before a measure was announced on which unanimity was of vital importance.

* * * * * * * * Exclusive of

* The period of 1782.

the distinguished personages already mentioned, many other eminent men were daily emerging from the general body of the commons, whose talents and eloquence, catching the flame which surrounded them, soon added to the brilliant light which illuminated the whole nation; but the public eye still kept steadfastly fixed on Mr. Grattan, as the person best qualified to take the lead in asserting the rights and independence of his country. The style and fire of his eloquence; the integrity of his character; the indefatigable perseverance of his patriotism; and an intrepid fortitude of spirit, which had always great weight with the Irish, procured him a consideration far above his cotemporaries, in none of whom were these grand qualities so generally united; whilst a kind heart, and the mild, unassuming, playful manners of a gentleman, secured to him that sort of private esteem which banishes the feelings of rivalship, even from the most zealous partizans. Thus, as if by general assent, at the time of the Duke of Portland's assuming the government, was Mr. Grattan considered by all ranks as the chosen champion for the independence of Ireland; distinguished by the most elevated characters; admired by the parliament; and idolized by the people. * * * *

Mr. Grattan had long declared the absolute necessity of gratifying the people by a legislative declaration of Irish rights and constitutional independence; marking out, by an indelible record, that sacred Rubicon, past which the British government should never again advance, and beyond which the Irish nation should never wander. On that point the fate of Ireland vibrated as on a pivot; it must rise or it must fall; it could no longer remain stationary, and the great landed proprietors strongly felt that they must necessarily participate in its vicissitudes. The court had totally lost its influence; the people had entirely acquired theirs; the old system of Irish government was annihilated; and the British cabinet had neither the wisdom nor the disposition to take the lead in more popular arrangements. The parliament and the people were gradually drawing together against the government; an instinctive sense of the common difficulty called all men towards some common centre; and as that centre, all parties, all sects, and all factions, looked to the

abilities and the honesty of Mr. Grattan; they knew that he had no object but his country, and no party but its supporters; they knew that his energetic mind could neither be restrained by resistance, or neutralized by subterfuge. He possessed all those intellectual qualities, best calculated to lead the Irish people to the standard of freedom, without suffering them to advance to the anarchies of revolution.

His principles, democratic by nature, were monarchical by education. He hated tyranny in the same proportion as he loved constitution. In him ambition for power was merged in ambition for popularity; and he acted under the peculiar advantage, that, if at any time the ardency of his zeal should happen to lead him beyond the boundaries of sound discretion, his wise, weighty, and moderate advisers would always give a steadiness, a safety, and a character, to his views and proceedings. * * The structure of the Irish House of Commons, at the period of these debates, was particularly adapted to convey to the people an impression of dignity and of splendour in their legislative assembly. The interior of the Commons' house was a rotunda of great architectural magnificence: An immense gallery, supported by Tuscan pillars, surrounded the inner base of a grand and lofty dome. In that gallery, on every important debate, nearly seven hundred auditors heard the sentiments, and learned the characters of their Irish representatives; and the admission of the students of the university gave to the rising generation a love of eloquence and of liberty; taught them the principles of a just and proud ambition, the details of public business, and the rudiments of constitutional legislation. This entire gallery had been crowded at an early hour by personages of the first respectability of both sexes. It would be difficult to describe the interesting appearance of the whole assemblage at this awful moment. After the speech of Mr. Hutchinson, which, in fact, decided nothing, a low confidential whisper ran through the house, and every member seemed to court the sentiments of his neighbour, without venturing to express his own; the anxious spectators, inquisitively leaning forward, awaited with palpitating expectation the developement of some measure likely to decide the fate of their country, themselves, and their posterity. No middle course could

possibly be adopted. Immediate conciliation and tranquillity, or ultimate revolt and revolution, was the dilemma which floated on every thinking mind. A solemn pause ensued. At length Mr. Grattan, slowly rising from his seat, commenced the most luminous, brilliant, and effective oration ever delivered in the Irish parliament.

There is something in the tone, the action, and the emphasis of public speakers, which, extrinsic of their arguments, makes great impression. The entire singularity of Mr. Grattan's address, the eccentricity of his drawling yet fiery diction, which would have been disadvantageous to another orator, in him only excited a more anxious attention to his language, and acted as an attractive companion to his logic and his eloquence. This speech, ranking in the very first class of effective eloquence, rising in its progress, applied equally to the sense, the pride, and the spirit of the nation. Every succeeding sentence increased the interest which his exordium had excited. Trampling upon the arrogant claims and unconstitutional usurpations of the British government, he reasoned on the enlightened principle of a federative compact; and urged irresistibly the necessity, the justice, and the policy of immediately and unequivocally declaring the constitutional independence of the Irish nation, and the supremacy of the Irish parliament, as the only effectual means of preserving the connection between the two nations.

The speaker put the question on Mr. Grattan's amendment; a unanimous "Aye" burst from every quarter of the house. He repeated the question; the applauses were redoubled; a moment of tumultuous exultation followed; and, after centuries of oppression, Ireland at length declared herself an *independent nation.*

This important event quickly reached the impatient crowds of every rank of society, who, without doors, awaited the decision of their parliament. A cry of joy and exultation spread with electric rapidity through the entire city; its echo penetrated to the very interior of the house; every thing gave way to an effusion of happiness and congratulation that had never before been exhibited in that misgoverned country. * * * Ireland from that moment assumed a new aspect. She rose majestically from her ruins, and surveyed the author of her

resurrection with admiration and with gratitude. A young barrister, without professional celebrity, without family connections, possessed of no considerable fortune, nor of any personal influence, save that which talent and virtue involuntarily acquire; leagued with no faction, supported individually by no political party, became the instrument of providence to liberate his country; and, in a single day, achieved what the most able statesmen, the most elevated personages, the most powerful and best connected parties, never could effect.*

Aided by the circumstances of the moment, he seized the opportunity with promptitude, vigour, and perseverance. But whilst he raised his country to prosperity, and himself to unexpected fortune and never-fading honour, he acquired vindictive enemies by the brilliancy of his success, and afterwards fell a temporary sacrifice to the perseverance of their malice, and the dissimulations of their jealousy.

Attributed to the Rev. Mr. Croly.

It is now about forty years since Ireland began to have a history. The past was fable or affliction; a desert traversed by furious faction, or covered with the sad memorials of what, under better times, might have made the living strength of the land, a field of battle or a grave. From Mr. Grattan's first emergence, a milder light rested upon the public mind, and Ireland began to take upon her the robes and aspect of a settled polity. It was his own language of her constitution, "that he had stood by its cradle, and followed its hearse." This was the phrase of a moment of strong and melancholy feeling. But he had at least seen its birth, and he had done more, he had poured of his spirit upon it, and anointed the infant for aspirations and triumphs, glorious beyond the youth of any other freedom. In England we are a grave people, and steadily loving our public rights; our value for them is chastened by long possession. We are not led for the first time into the knowledge of our inheritance. We take posses-

sion of our estate after having been trained in the sight of heir-looms and escutcheons of the magnificence of freedom, and hallowed ancestral memorials of heroic achievements in the public cause. But in Ireland all was new. It was poverty starting into sudden wealth. It was a desolated mind suddenly filled with prosperous and splendid imaginations. It was the breath of life breathed into the nostrils of a human image, and awaking him to cast his eyes round a new creation. This language is not exaggerated. The enthusiasm, the rejoicing, the gratitude of Ireland, on her first possession of public rights, were beyond all language. The proceedings of the first few years, after 1782, were like a continued triumph. The man who had led the battle, led the march to the capitol; but, unlike the triumph of the Roman, his glory was that his car was followed by no slave. In after years, this man was repelled by the same heated and impetuous spirit which then rushed, rejoicing, before, and around, and behind his progress. The popular feeling grew disturbed. It was a time of European perplexity. The first advances of the great convulsion, which was yet to lift temples and thrones upon it, like weeds upon a wave, were felt in the quiverings of the earth, and the overshadowing of the air; and, far as Ireland was from the central shock, she was reached by the general heave. But her first exultation was beyond all experience. It was the first beam of the sun upon Memnon's statue; and if, as the day advanced, the voice died, and the form was tinged with a darker hue, the early miracle was yet the great testimony and tribute, neither to be forgotten nor retracted.

It is the praise of Mr. Grattan, and no man needs desire a nobler epitaph, that, with powers supremely fitted to influence the multitude, he restrained himself from popular excitement. The Irish have habitual propensities to public speaking; and Mr. Grattan's celebrity had still more strongly turned the powers of her ambitious minds to oratory. But he withdrew from the temptations of the hustings and the highway, to devote his mind under the only roof where public freedom can be worshipped without reproach and without fear. His place was in the House of Commons. There he laboured, and there he lived. It was full of his trophies. He was its true

architect. It might have been said of him, "*Si monumentum ejus quæras, circumspice.*" And for this he had his reward. The long succession of demagogues, who each misled the public mind, and who, for the time, were borne above him, perished like the foam when the storm is done. Mr. Grattan's name always rose with the falling of the surge, and in the returned calmness and sunshine of the great popular expanse, his firm renown stood up like a rock from the bosom of the ocean.

The chief instrument of those successes was his eloquence. It had the first mark of genius, originality. With Burke, Curran, and Sheridan for his contemporaries, his senatorial oratory had a form and countenance altogether its own. All definitions of the powers of those gifted men have grown common-place; but with a portion of what made the splendour of each, he had a direction distinct and peculiar. He was not a satellite of the most illustrious among them, but a new star, sweeping round its own orbit, and enlightening its own region, undisturbed, and unexhausted. But his style had the merit of being admirably fit for immediate impression. It kept clear from the solemn didactic with which Burke sometimes barred up the torrents of his oratory. It was not seduced into the fantastic wit with which Curran often made his audience laugh where he should have made them feel. The broad humour that impaired and drew down towards earth the loftiest imaginations of Sheridan, was never attempted by him. But for those he brought keen, solid, vivid thought; in language condensed, and close to its substance, shaped like the sheath to a sword. His powerful imagination never wasted itself on idle flights, never spread out its ætherial flames and colours to wanton before the eye. It was always strongly employed, always striking home upon its object with concentrated power. Its fault was mannerism:—this has been observed to be the natural fault of all original minds. The torrent and vigour of feeling which has forced away a new channel for its stream, can scarcely be soothed and subjected into other courses. The strength which it inherits from its first mighty bound never deserts it altogether; and, even in its gentlest flow, a trivial check chafes and rouses it into the torrent again. Mr. Grattan's habit of antithesis was the single

fault of his style. It grew on him with the close of life. In his early speeches it was rare. Of those famous speeches nothing now remains but a few imperfect reports, and the fragments that are yet treasured in the memories of their ancient hearers, like oracles. But the true evidence of their power is in what they had done. They found Ireland a place of desolation and savagery. They collected its scattered powers, and taught them wisdom and language; and, with more than the old miracle of Greece, built up the walls of their polity. Before Mr. Grattan, Ireland had scarcely a merchant, or a manufacturer, or a statesman, or a man of name in literature. He created them all, or rather he smote away the encumbrances of the soil, and left its native fertility to flourish and ascend in the light and air of constitution.

His conduct on the public questions which agitated Ireland, in common with the civilized world, was conformable to his wise and pure intelligence. He met the habitual fate of moderation, and was the object of offence to vulgar partisanship on both sides. But his fortitude was as little to be broken down, as his honour; and, when the lunacy of the hour was past, all venerated his cloudless and superior course with the same homage. In his conduct of the Catholic question, he gave a model for the pursuit of all great claims for the time to come. His heart was in his cause; but his zeal was without bigotry, rashness, or irritation. He saw intruders rush before him, and bear away his followers to unfruitful enterprizes; but, in this attempt to recover the ancient privileges, the Palestine of the Catholic, he neither quickened nor retarded his march for the enthusiasts who hastened to cover the desert with their bodies. His advance was deliberate, but it was secure. The leader reflected lustre on the host; and, before he died, he left them in sight of the city to which they had looked in hopelessness for a hundred years.

But Mr. Grattan is defrauded of his highest praise, if his integrity is forgotten. His powers might have commanded all that ambition covets. He was impregnable to place and title. He refused all honours and emoluments, even when they were offered by hands which he honoured. He declared himself to be the purchased servant of the country, and to

be incapable of adopting another master. No disclosure that death, the great unsealer of cabinets, has made, has been able to throw a shadow on the exalted patriotism of Mr. Grattan. No evil secrets are buried in his grave. He lived till he saw doubt and detraction perish before him, and was assured of his immortality. But his grave does not bound the services of such a life. While there is memory in man, his name will be an incentive to the generous ambition of his country. But he is now gathered to the great repository of the human race, and belongs to the infinite assemblage of all tongues, and ages, and nations that have been. The virtues of the dead patriot become the property of mankind. The small seed is buried in the earth, but from it springs the mighty tree gathering the dews of heaven in its branches, and covering the multitude with its shade.

London, 1820.

Said to have been written by Mr. Taylor.

THE destination of Mr. Grattan was the bar, but nature had given him talents better adapted to the senate; his education improved them, and his good fortune rendered them available to his country. Early honoured with the friendship of the patriotic and accomplished earl of Charlemont, he entered as auspiciously as a young man could enter, the difficult road to political distinction. In the best circumstances in which a nation can be placed, they are no ordinary abilities which obtain an historical reputation that time cannot destroy among the wreck of empires and opinions; and such were the abilities of Mr. Grattan. He would have graced the senate of the most prosperous and enlightened nation, and been in the proudest days of Athens, or of Rome, one of her conspicuous men. One of those whose life would have been a national benefit, and death a public regret. But the situation in which Ireland was placed when Mr. Grattan appeared on the stage of her stormy politics, was so peculiar that nothing in human relations could be imagined better calculated to try the resources and wisdom of a public man.

Power and violence on the one side — slavery and disorder on the other; a disorganized people, a contemptuous court; neither had temper, neither had consideration. Just demands were exaggerated by the one, and more than fiercely repelled by the other. There was no apparent room for either persuasion or compromise between a vaunting intolerance and prejudice without moderation. For nearly six centuries the history of this unhappy people was but the vicissitudes of a sullen submission, desultory outrage, defiance, terror, and proscription. The mind was familiarised to the form of a social community connected with the insecurity and excesses of savage life, and when there was not famine, plague, or rebellion to devastate, a civil hatred, perverse and malignant, enflamed both parties, and poisoned all the sources of social happiness, without affording, like the shock of battle, the prospect of a termination of hostilities.

Such was the scene on which Mr. Grattan was called to enter. To a man who only sought that unprincipled notoriety which gratifies a vulgar ambition, such circumstances would have afforded facilities towards the attainment of a turbulent fame. The combustible materials were there in profusion to offer to the torch of the incendiary the chance of mighty conflagration; but Mr. Grattan was neither the coarse minded demagogue, nor the great bad man, who could make the ruins of his country the path to a vicious eminence. All his views embraced her interests, and terminated in her improvement; and if he wished to raise himself, it was upon her exaltation. Thus he encircled in the zone of his ambition the cause of four millions of human beings, and would have bound them in a prosperous and moral confederacy, honourable to themselves, and useful to the British Empire. He wished them to be free, because rational freedom is the only soil of the virtues; the graces of refinement may give a florid complexion to a despotic state; but the glow and current of health only invigorates that nation which breathes the atmosphere of a free constitution. Such was the country whose tongue the orator of Ireland had first studied, whose history he had first read. — Such was England; and the practice of his public life was a comment upon his admiration of her well-constructed glory. His anxious life was devoted

to the great task of assimilating the country of his birth to that of his affectionate regard. It was not a nominal union that he laboured to effect, but one of the heart and of the sentiment; reciprocal, moral, improving; an interchange of good offices; a blending of interests; a coalescence of strength. To accomplish his object he brought into the field of public action, original powers, great industry, great political discernment, a dauntless spirit, and a mind tenacious of its purpose. To give these qualities effect, he cultivated public speaking with an almost incredible ardour;—the genius of eloquence had never a more indefatigable disciple; the abstract sciences never gave a more intense exercise to the faculties of Archimedes or of Newton, than that which Mr. Grattan displayed in attaining the art of addressing a public assembly. His own mind was of a reasoning and philosophical cast; but he knew that his audience was a susceptible one; and he rightly judged that the voice of truth would be most prevailing, when it consulted the temperament of its audience. He succeeded in combining a manly and animated style of reason, with a great display of imaginative power; and, accordingly, the efforts of the orator produced the sensation favourable to the virtuous designs of the statesman.

It is probable the power which he realized over the public mind surpassed his own early hopes. The popular impression which his matured style of speaking created, can hardly be conceived by those who only witnessed the exertions of his old age. That union of the severest logic with the most liberal and popular qualities, that make men fascinate multitudes, which he displayed, could only have been the result of judicious cultivation upon the happiest temperament of genius. He was not an orator of that class who decry industry, who scorn the labours of knowledge, and would be supposed to speak from immediate revelation. No, he devoted his days and nights to the education of his talents, ambitious of no superficial renown, unsatisfied but by solid glory. But laborious as he was, his logic had none of the pedantry of the schoolman; and his imagination was free from the ostentation of the rhetorician. The one was vigorous reason liberally wielded; the other an intellectual fire that seemed

only the glowing of thought that kindled in its progress. In looking at a subject he was not content with a confined view or a hasty glance; he chose elevated ground, and gave it a deliberate inspection. He took in all its bearings with a comprehensive precision; and therefore his treatment of a great subject was equally remarkable for breadth of design and lucid arrangement of parts. While his soul seemed to burn with the most intense feeling of his subject, his method, severe but not formal, embraced every topic in order, and gave to each its due attention. He did not dwell upon points beyond their value, or after he had said all that was necessary for their enforcement; nor did he return upon his steps and embarrass his hearers and himself by repetition, nor alarm them by discrepancies; all was connected, clear, progressive; without feebleness, without distracted energy. His elocution was not a mountain stream that foams and frets in a rocky channel, where sometimes it shows only scanty rills, and again bursts away in a torrent. That could better illustrate the eloquence of Curran, erratic and unequal; but Mr. Grattan's had more of the copious and majestic river, deep, grandly reflecting clear images, always placid, and always irresistible. In his most tranquil moments attention was chained to his words;—but when he poured himself forth in the full ardor of his intellect, the advocate of a principle was forgot in the admiration of a superior intelligence. He could sketch character with a rapid and powerful hand; and it seemed to arise naturally out of his subject, to illustrate and inforce argument by authority. This gave a living animation to his harangues, and made them more valuable when the conflicts of the day should have been forgotten; because man and his nature, his public virtues, and the vices of his ambition, ever continue to attract rational curiosity, although the scene on which they were originally exerted has ceased to exist.

The language of Mr. Grattan was forcible and peculiar. He was fond of point and antithesis: but this was the natural result of a talent that delighted in bold yet nice distinctions. It is said that he copied the style of Tacitus; but it is more probable that a similarity of genius led to the coincidence.—There is in Mr. Grattan that same power of tracing in a few words the outline of a character, and the condensed thought

which give fulness and force to the balanced periods of the great historian. He was altogether a spirit worthy of being commemorated by the writer whom he is said to have imitated. Had he lived in the reign of Tiberius, the Roman senate would have contained one virtuous and fearless senator, one who was not born to be a courtier even in the palace of Trajan.

In the presence of his country he saw no other hope, no other fear; that one great object absorbed all inferior consideration. He gave it the service of his intellect, and the devotion of what he himself so justly termed a "desperate fidelity." In that cause he laboured, sorrowed, and rejoiced; but he looked at her interests in connection only with those of justice, civilization, and universal humanity. Hostile to all the principles that pamper and exclude, his policy was the simple recognition of Christian sentiment; as it ought to animate the conduct of states and the relations of society, it was calculated to draw into the closest compact of strength, the elements that go to form nations, and to remove the most painful and least profitable task of history, the narration of their civil discords. Such was the cause to which the long and splendid career of his life was given, and to which he dedicated his expiring breath. *Though sometimes assailed by a* cruel ingratitude, it abated nothing of his zeal, because it was founded on principle, and not dependant upon the errors or passions of mankind. His mind always looked serenely upon its own course; intrepid and daring, as it was gentle and courteous; though fierce and dangerous, when wantonly provoked in the performance of his public duty. It was his cause, and not himself, that inspired the indignant vindication; for he never so worshipped ambition as to sacrifice upon her altar the graceful charities of life, or the mild glory of domestic virtue.

THE ardent and impassioned character of Mr. Grattan's eloquence, when, glowing with youth and hope and patriotism, he first bent the mighty energies of his great mind to rouse the dormant spirit of his country, could not be suffi-

ciently appreciated by those who witnessed only the occasional exercise of his talents in the British House of Commons. In Ireland, his object was to infuse a spirit of proud independence into his auditors, to inflame their minds with a sense of the injuries their country had sustained, and to contrast their degraded condition with the lofty state to which it was their duty to aspire. He had the countless wrongs of ages to enumerate; he had to wade through annals of oppression and crime; and feeling with warm sensibility for the sufferings of his country, he poured forth the torrent of his indignation with an overpowering force. But in England, there was neither scope nor necessity for this vivid eloquence. The temperament of the people, and the circumstances of the country alike forbade it; and it was no inconsiderable proof of Mr. Grattan's strength of mind, and correctness of discretion, that, accustomed as he had ever been to address the imagination of men characteristically susceptible, practised, if the expression may be allowed, to carry the feelings of his auditory by storm, he could, when circumstances rendered it necessary, so far temper his fire and alter the habits of his mind, as to sacrifice his peculiar means of triumph, and confine himself solely and exclusively to the display of good sense and sound judgment. The condition of the two countries respectively was also essentially different. Ireland was, during the continuance of Mr. Grattan's rapid career, a scene of fierce and unrelenting political contest, embittered with every angry feeling that could be excited by a sense of insult and injury on the one had, and of disappointed power on the other, and animated throughout with alternate triumphs and defeats. In England every thing was comparatively tranquil, the principles of civil and political liberty were fully recognised, and the constitution was permitted to act for the welfare of the community, uncontrolled by open enmity or ill-concealed treachery. In England there was no systematic oppression to inflame the indignation, nor were the energies of the people controlled by the jealous interference of a more powerful neighbour. Ireland was in a state similar to that of a province recently subdued by a vindictive and injudicious conqueror; her trade prohibited, her domestic industry discouraged, her people oppressed, and her interests betrayed.

From this degraded condition, it was the glory of Mr. Grattan to elevate his country. By the electric fire of his eloquence he shook off the bondage of ages; he taught the people a knowledge of their rights, and from the state of a despised and degraded province, he raised Ireland to the rank and port of an independent kingdom.

London, 1820.

It was the intention of Mr. Grattan to have made an effort to take his seat in the House of Commons, and closed his eminent career of public services, by laying on the table of the House of Commons, a series of resolutions declaratory of those principles of civil and religious liberty, which he thought became the high moral station of Great Britain, and the enlightened character of the age in which we live. It pleased Providence in its all-wise dispensation of human destiny, to have withheld from Mr. Grattan the opportunity of performing this last act of public duty, on which he had set his mind, and to make which, he undertook his last journey, and encountered that fatigue, which, in his debilitated state of health, accelerated his demise. Though it was not reserved for Mr. Grattan to have closed his public life as he earnestly desired, yet it is a consolation to feel that he was not snatched from his country, as other statesmen have of late years unhappily been, in the prime of life and in the midst of their immatured energies, for the promotion of the public interests. It has been reserved for few men to have performed such essential services for their country; to have watched with such solicitude over its dearest interests, and achieved, under the most discouraging circumstances, so many solid advantages for their countrymen. If he did not live to consummate the complete success of the great cause to which his life of late years had been devoted, he at least succeeded in placing it upon a basis of public opinion, from which it cannot be shaken, and left for his successors the single task of recording the final settlement of a question, which his talents and eloquence had advanced to the verge of final adjustment. *

* Roman Catholic Emancipation.

As a public character, the efforts of Mr. Grattan will be best understood by a reference into the history of his own country, during the last half century of its eventful annals. No man that ever preceded him filled a greater space in the public mind, nor were ever greater questions more dependant on the patriotism and energies of a single individual. As an orator, Mr. Grattan stood in the first class. He was above grappling with the minor details of political questions. His view was that of a philosopher, and no statesman of modern times exceeded him in his manner of pressing his arguments, or in the eloquence which he shed upon every subject that came before him. There was an indignant sarcasm and severity in his language, when treating of the wrongs of his country, which appalled his opponents, and made him terrible in the eyes of those minions of power, who adhered with selfish eagerness to a system of government, happily since abandoned in administering the affairs of Ireland. Though Mr. Grattan commanded a power of language almost beyond any other man of his time, yet his delivery, warm and impassioned as it was, was unmarked by the imposing graces of action. The force and originality of his diction, the concise and yet comprehensive form of his arguments, and copious splendour of his illustrations, threw a commanding interest over his speeches, in which some peculiarities of manner and phraseology were entirely overlooked and forgotten. The death of this distinguished patriot will be long mourned by his country. He was the last survivor of that great galaxy of talent which shed such a lustre upon the annals of this country since the time of Lord Chatham.

London, 1820.

We know of no sovereign for whose memory Ireland should so sincerely mourn as for the memory of that great man, who might be truly styled an unlimited sovereign in this realm of genius; *one* who, in eloquence, had many competitors, but no equal; who was as original in mind as he was in the power of giving expression to it; who seemed to be born for the epoch in which he lived, and to be delegated by Providence the instrument of that liberty he assisted

in achieving. Without the volunteers of 1782, it may be truly said that Mr. Grattan could not accomplish the vast and comprehensive speculations of his powerful mind; but it may be *as truly* said, that without Henry Grattan, the Volunteers would have wanted the trumpet which sounded their fame and glory through the world. It was his classic eloquence that recorded their achievements, and made them at once the terror as well as the admiration of their enemies.

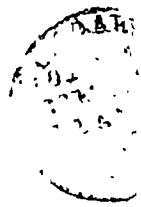
When we look back to the pages of our history, and see them illuminated with the splendid proceedings of those early struggles for the liberty of Ireland, and contemplate the part which Mr. Grattan performed on this great theatre of human action, we are lost in the impotency of language, to give expression to the sorrow we feel, when we are obliged to turn to the tomb that has closed for ever on our illustrious countryman. But it is our duty to go to *that* tomb, and learn from the dead, the wisdom and the truth which we cannot obtain from the living; it is our duty to consult even the ashes of Grattan, and to catch from the devouring grave a particle even of that mind which once electrified the bosom of millions. To whom can Ireland say she is so much indebted as to this great man? We challenge the readers of her history to point out the Irishman to whose genius, and to whose virtues, to whose unconquerable spirit and *desperate fidelity*, the people of Ireland are so much indebted as to Mr. Grattan. Where is the man who devoted forty years of a spotless life, and of unabated labours, to the elevation and aggrandizement of his native land, and who never sought reward, but from the spontaneous gratitude of an admiring people? — Where is the man who can say, "I rose and I fell with my country! I carried her on my shoulders into the temple of Freedom, and I stood at the door of that temple, to devote my life, if necessary, to its preservation." What man in Irish history, can say this but *Grattan?*

Yet, even he, though so gifted with genius, and so full of virtues, could not be exempt from the weaknesses of his nature. The pride of opinion, the vanity of not giving way to humble men, sometimes seduced Mr. Grattan into the committal of errors, which were obvious to every one but to him, and would have been avoided by those who, compared with

him, were as the Lilliputian to the Giant. When living, it was the duty of the humblest intellects to remonstrate even with Mr. Grattan; to speak of his deviation with candour, but with decorum; to guard the nation against an example so fascinating, and a name so powerful. But the grave has swallowed all our differences, and history seems to stand before us at this moment holding up to our view the brilliant scenes in which Mr. Grattan is shedding on an enslaved and benighted land the light of his glowing mind, animating and invigorating the sleepy and inert mass which surrounded him, and giving to his wondering countrymen a strength and a spirit of which they were hitherto unconscious. From the free trade of 1779, to the establishment of the Union, the life of Mr. Grattan was an uninterrupted and fearless struggle for the independence and rights of all denominations of his countrymen. During that interval, it is true, a few clouds passed across him in his brilliant career, but they only obscured and hid him for the moment from the nation's eye. He rose again with redoubled effulgence, and followed the fortunes of his country to the last moment of his existence. In 1788, he was denounced by the bishops of the established church, because he assailed their monopoly and arraigned their avarice. He was the enemy of church and state, because he interfered between the poor and the tithe-proctor; and, in 1793, the corporation of Dublin threatened to depose him from the throne on which his fellow-citizens had placed him, (the *representation* of the metropolis,) because he pleaded, with more than human eloquence, the rights of his Catholic countrymen to equal and impartial privileges. In 1795, 1796, and 1797, he was put up and put down by the sycophants of power, as that power thought proper to issue their orders. His early idolaters forgot the object of their idolatry in the contemplation of their interested speculations; and the heads of the university were the first to set the example of political monopoly. Mr. Grattan's picture was no longer to be seen in the college-hall. Lord Clare was the chosen favourite, and this, too, at the moment when that very Lord was sapping the foundations of Irish freedom; but Mr. Grattan went on in his glorious course, undisturbed

by the anathemas of churchmen and schoolmen. He knew the day would return, when corruption would lament her credulity, and when his name would once more reascend to its proper station in the mind of his country.

Dublin, 1820.



Edinburgh Review, November 1820.

IRELAND.

THANK God that all is not profligacy and corruption in the history of that devoted people; and that the name of Irishman does not always carry with it the idea of the oppressor or the oppressed; the plunderer or the plundered, the tyrant or the slave: great men hallow a whole people, and lift up all that live in their time. What Irishman does not feel proud that he has lived in the days of Grattan? who has not turned to him for comfort, from the false friends and open enemies of Ireland? Who did not remember him in the days of its burnings and wastings and murders? No government ever dismayed him: the world could not bribe him: he thought only of Ireland; lived for no other object; dedicated to her his beautiful fancy, his elegant wit, his manly courage, and all the splendour of his astonishing eloquence. He was so born and so gifted, that poetry, forensic skill, elegant literature, all the highest attainments of human genius, were within his reach. But he thought the noblest occupation of a man, was to make other men happy and free; and in that straight line he went on for fifty years, without one side look, without one yielding thought, without one motive in his heart which he might not have laid open to the view of God and man. He is gone: but there is not a single day of his honest life, of which every good Irishman would not be more proud than of the whole political existence of his countrymen, the annual deserters and betrayers of their native land.

To James and Henry Grattan, Esqrs.

London, June 7. 1820.

GENTLEMEN, — Filled with veneration for the character of your father, we venture to express a wish common to us with many of those who most admired and loved him, that what remains of him should be allowed to continue among us.

It has pleased Divine providence to deprive the empire of his services, while he was here in the neighbourhood of that sacred edifice where great men, from all parts of the British dominions, have been for ages interred. We are desirous of an opportunity of joining in due honour to tried virtue and genius. Mr. Grattan belongs to us also, and great would be our consolation were we permitted to follow him to the grave, and to place him where he would not have been unwilling to lie; by the side of his illustrious fellow-labourer in the cause of freedom.

Duncannon
Wentworth (Fitzwilliam)
Augustus Frederick (Duke of Sussex)
W. V. Fitzgerald
T. Ponsonby
Althorpe
W. H. Littleton
W. H. Prinn
George Tierney
Clifford
Hamilton Bandon
Besborough
W. T. Ponsonby
Ossulston
John Lens
John Bennett
C. W. Wynne
St. Vincent
Cowper
R. C. Ferguson
T. C. Lambton
Creve
King
Milton
Thomas Coke
Arundell
Rosslyn
J. Mackintosh
Albemarle
Carnarvon
Darnley
Darlington
Bute
Derby
Spencer
Edward Petre
Tavistock
J. Russell
Devonshire
J. Fazakerly
Kinnaird
Thanet
Vassal Holland
H. Brougham
Jersey
A. Hamilton
Erskine
Samuel Rogers
Blessington
Henry G. Bennett
R. Sharpe
Morpeth
H. Russell
Nugent
William Lamb
Thos. H. Burke
I. M'Donald
H. Norwich
Norfolk
Bedford
Surrey.

To His Royal Highness the Duke of Sussex, and the Noblemen and Gentlemen, &c.

In answer to the kind and flattering communication received by Mr. James and Mr. Henry Grattan, they beg to assure his Royal Highness, and the Noblemen and Gentlemen who have made it, that they are most sensible of the expressions of esteem and veneration which it contains towards their father.

In the calamity with which they have been afflicted, it is a consolation to them to find, that he is honoured and mourned by those whom he esteemed and respected.

If private feelings alone were consulted, their wish would be that his remains should lie in that ground purchased by the people of Ireland, as the reward of his exertions in defence of her liberties; but as so many individuals of Great Britain, and his own countrymen and friends, agree that he should be placed in Westminster Abbey, they gratefully accede to the honourable request of depositing his remains in that sacred edifice, and by the side of that illustrious individual whom, in life, he so dearly valued, and near whom, in death, it would have been his pride to lie.

Baker-street, June 13th, 1820.

THE remains of Mr. Grattan were, on Thursday night, conveyed in a hearse and four to Richmond House, Privy Gardens, where, according to the published order, the friends of the deceased were to assemble at ten o'clock in the morning, to be marshalled for the funeral procession. The body lay in state in one of the parlours on the ground-floor. The room was hung in black, and lighted with silver lamps.

At the appointed hour a considerable number of personages of the first rank attended, and were accommodated on the ground-floor, in the grand range of drawing-rooms, and a considerable number of gentlemen took their station in the garden in front of the house, where the ceremonial of marshalling was to take place. At a quarter before twelve o'clock, the neces-

sary arrangements being completed, the procession (which was pedestrian) moved out of the coach-entrance which opens into Whitehall, and advanced against the centre of Parliament-street, which was newly gravelled for this melancholy occasion. A considerable multitude of persons who had, as early as nine o'clock, assembled, filled the pathways and the greater part of the centre of the street; but the constables, who were arranged under the direction of Mr. Lee, the high constable, kept a sufficient space open for the funeral to advance.

Every individual, from the highest to the lowest, seemed to feel as if he had been deprived of a friend, a father; and the general interest was not a little deepened and increased by the simple and unostentatious manner in which dukes, peers, and nobles assisted in this last sad ceremony. — It was the offering of title at the shrine of talent, virtue, and integrity; and in the hour of his country's affliction, such a testimonial must prove no common consolation. In the procession were recognized many of his political opponents, who knew too well how to value the purity of his intentions, and the profound resources of his intellect, not to mourn his loss.

Mr. Lee and a body of constables clearing the way.

Two mutes.

Mourners, two and two.

Two pages. Two hundred gentlemen, two and two. Two pages

The Irish students-at-law with hat-bands and gloves.

The clergy and medical gentlemen with scarfs.

Two mutes.

Bearer, with plume of feathers and escutcheon of the deceased.

THE COFFIN,

covered with a rich pall, and supported by the

Duke of Wellington,	Duke of Norfolk,
Earl of Harrowby,	Earl of Donoughmore,
Lord Holland,	Lord W. Fitzgerald,
Marquis of Downshire,	Lord Castlereagh (by proxy).

Chief mourner,

his train borne by Mr. H. Burke, supported by the Marquis of Wellesley and Lord Erskine,

James Grattan, Esq. (eldest son of the deceased).

Second mourner,

his train borne by Mr. James Corry, and supported by Sir B. Bloomfield and Mr. H. Caulfield,

Henry Grattan, Esq. (second son of the deceased).

Duke of Devonshire. { His Royal Highness the Duke of Sussex. } Lord Lansdowne.

Members of the House of Peers, four abreast, according to title and rank.
Members of the House of Commons, four abreast, according to rank.
Gentlemen who attended as friends of the Deceased, two and two.
Undertaker's men as fitting, &c.
Three pages closed the procession.

The Roman Catholic nobleman and gentlemen attended in pursuance of the resolution adopted by that body: —

British Catholic Board, Monday, June 12. 1820.

His Grace the Duke of Norfolk in the chair.

Moved by Lord Arundell — seconded by the Hon. Edward Petre.

Resolved unanimously. — 1st, That the British Catholic Board feel an anxious wish to manifest, in the most expressive manner, their deep affliction at the heavy calamity which has befallen the empire, and particularly the Catholic body, by the death of the Right Hon. Henry Grattan, and that the members of the Board do attend his funeral in Westminster Abbey, as a testimony of their gratitude for his eminent services, of their respect for his memory, and of their heartfelt grief at a loss so generally and so deservedly deplored.

2dly, That the governors and committees of the Catholic schools within this metropolis be requested to allow the children of their respective charities also to attend the funeral.

NORFOLK, Chairman.
EDWARD JERNINGHAM, Secretary.

The children were accordingly ranged in front of the grand entrance into the abbey. The Irish children were habited in green; and the whole presented a most interesting and affecting spectacle.

The procession occupied nearly an hour in moving from Richmond House to Westminster Abbey, where it was received at the great western door by the Rev. Dr. Ireland, the dean of Westminster, and attended by the whole choir of the abbey, who chaunted one of Handel's grand anthems as it advanced along the aisle to the vault prepared to receive the coffin. The distinguished characters who composed the procession formed at each side of the vault, which was hung with black, as the coffin was borne to the opening of the vault.

The dean, after ten minutes past one o'clock, read the service for the dead, and immediately after the doors of the tomb were closed upon the remains of Mr. Grattan, amid the strong and unaffected grief of the most illustrious characters of the empire. The tomb lies nearly between the spot of earth which encloses all that was mortal of Pitt and Fox. It adjoins the grave of the great Lord Chatham, and is surrounded by the tombs of Lord Mansfield and other eminent public characters. — The foot of Mr. Grattan's coffin nearly touches that of Mr. Fox. It is exactly the spot, out of his own country, which it would be supposed Mr. Grattan would have selected for his tomb. He rests among the most illustrious statesmen who have adorned the modern annals of the country.

House of Commons, Wednesday, June 14. 1820.

NEW WRIT FOR DUBLIN.

SIR J. MACKINTOSH, in rising to move for a new for the return of a member to serve in Parliament for the City of Dublin, in the room of the Right Hon. Henry Grattan, begged leave, in the absence of his Right Hon. Friend, (Sir J. Newport) to say a few words upon this melancholy occasion. He could assure the House, with the utmost humility, that he had not undertaken this task without the deepest sense of his own inability to do justice to that immortal name; and he could assure the House, with equal truth, that he had not undertaken it from any general partiality to proceedings of this nature. Far from approving of such a course being pursued in cases of an ordinary description, he was ready to admit that, if the practice were extended beyond the very narrow limits within which it had been of late years confined; if friendship should make such addresses degenerate into matters of course, he should most sincerely deplore the departure from our recent custom, and heartily wish to return to the modest silence of our forefathers. Indeed, studied panegyrics on the dead, were not consistent with the general

character and simple habits of Englishmen; it was a practice rather suited to an enslaved people than to a land of freemen, for those who were debarred from the manly exercises open to the natives of this country, and restrained to few subjects, might be expected, in the absence of other themes on which they might dilate, to exhaust themselves in laboured orations and in unmerited praise. In modern times, the House had wisely limited this usage, and had confined such tributes to cases in which the recent death, where warm respect, admiration, and affection, made it impossible for any difference of opinion to prevail. The bounds which has thus been observed, ought not to be exceeded. The House had acted wisely, reserving such distinctions for occasions of an extraordinary nature. Were this not done, the practice would soon resolve itself into a hollow and hypocritical parade, conferring no honour on the subject of it, reflecting no credit on the House, and degrading to the feelings of the nation. If he should be ashamed of being found wanting in respect to the memory of those he had most loved and honoured on earth, he should not be less so of suffering feelings of personal regard to influence him on an occasion like the present, so as to induce him to bring forward the merits of an individual as entitled to public admiration, where it was at all doubtful whether posterity would confirm the decision that might become so in the first instance. The honours they might render to those who were no more, ought to be strictly confined to such cases as he had supposed. They owed this as well to the memory of those who had not received such honours as to those who had received them; to their own characters as well as to those of their friends; for many who had not been so distinguished, were entitled to the highest honours that friendship could bestow, though not to that peculiar mark of public consideration in that House which ought to be the appropriate reward of exalted public virtue and transcendent talent. He could not but insist that the restraint imposed on their feelings ought to be continued, for that eulogium and those plaudits would become utterly worthless, if for a moment it could be doubted that they were sincere. When he stated that exalted virtue, great public services, and transcendent talent were the conditions on which

such honours should be granted, and uttered the name of Mr. Grattan, he was confident that every one who heard him would be ready to reply with eagerness, that he had satisfied them all. The first peculiarity which he would mention in the character of this distinguished individual, was a circumstance memorable in itself, and, as far as he knew, unparalleled in history. Mr. Grattan was the first person (as he was informed), and certainly he was the only individual in our age, to whom parliament had voted a recompence for services rendered to the country, by one who was no more than a private gentleman, and who enjoyed neither civil nor military honours. It was now nearly forty years since the House of Commons had voted an estate to him and his family, not as a remuneration, for it was impossible that his transcendent merits could be remunerated, but as a testimony of national gratitude for his unequalled services. That vote was an indelible record of the gratitude of his country. He found his country labouring under the evils of a foreign policy; he restored it to its independence; he found his country a province of England; he gave it a name among the nations; he restored it to its just rights and privileges. He was one of the few whose happiness and whose glory it had been to have liberated his country from the domination of a foreign power, not by arms and blood, but by wisdom and eloquence. And he had the peculiar felicity of enjoying as much esteem and admiration in the country whose pretensions he had resisted, as in the country whose independence he has restored. To try his merits by another criterion, it was to be expected that in his arduous career of public service, much diversity of opinion was to be encountered, and many honourable enmities to be incurred. It was, however, the peculiar happiness of the great man whose loss they deplored, that he had survived all those enmities; he had lived till the mellowing hand of time and the mild virtues of age, had extinguished every feeling of jealousy, and men of all parties and opinions united in paying to his memory a homage, deep, sincere, and unexampled. The House must feel, that, in paying this mark of distinction to his memory, posterity would review their decision, and that the name of Grattan would occupy a large space in history. The narra-

tive of his life would, in reality, form the history of his country. Fertile as the British empire had been in great men during the last half century, Ireland had undoubtedly contributed her full share; but no name, not even the illustrious names of Burke, Sheridan, and Wellington, were more certainly historical, or more sure to be remembered by posterity, than that of Grattan. Without entering into those controverted topics, the defence of which had obtained for him the gratitude of his country in the year 1782, he would observe only, that whatever difference of opinion might exist, as to the Union between the two nations, nothing was more certain than this — that no union could be lasting, till the two nations met upon equal terms, and the representatives of Ireland had their just and full share in the administration of the whole empire. To mention a circumstance of inferior moment, it was a striking peculiarity in his parliamentary history, and unexampled, perhaps, in the history of orators, that he might be said to have arrived at the first class of eloquence in two parliaments, differing in their taste, opinion, and habits, as much as any two assemblies of different nations could differ from each other. His pre-eminence was confessed in his own country, where wit and eloquence sprung up more spontaneously than in any other — it was confessed in this country, where he came at an advanced age, and at a period when the House of Commons were made justly severe in their judgment by the daily display of talents, such as had rarely been seen in any age or country; he had therefore to encounter great names on the one hand, and unwarrantable expectations on the other. The inconvenience arising from the practice of addressing the House upon these occasions, rendered it necessary to allege peculiarities, and he could show that in this case at least the precedent could not become dangerous. This great man did not indeed die in this House; but he died in his progress to discharge his public duties; he died in the public service. As to the measure which he intended to propose to Parliament, he might venture, perhaps, without offending the feelings of any man, to describe what that great man thought upon the subject. He had risked his life to come to this House, because he thought it would be the means of healing the bleeding wounds of his

country, of establishing harmony and union in a kingdom, whose independence he had himself achieved; of transmitting to posterity with the records of her political, the history of her religious liberation; of vindicating the honour of the Protestant religion, and wiping from it the last stain that dimmed its purity, and of supporting the cause of religious liberty, whose spirit went forth emancipated at the Reformation, and which was adopted into the laws and constitution of the country. In this great cause he had sacrificed his life. His virtues were without alloy, and the purity of his life was equal to the brightness of his glory, for he was as eminent in his observance of all the duties of private life, as he was heroic in the discharge of his public ones. He was one of those rare examples whose private virtues were as conspicuous as his public character, and shone forth as an example to all human nature. It was not his fortune to become acquainted with him till an advanced period of his life; and though, in all the intercourse which he had had with men of genius, he had constantly found simplicity of character to accompany great endowments of mind; he might truly say that he had never met with an instance in which such native grandeur of mind was blended with so much infantine playfulness and simplicity; in which the softest qualities were so happily combined with the loftiest and the grandest of human nature. He might truly apply to him the words of an ancient writer: —

Vita innocentissimus, ingenio florentissimus, proposito sanctissimus.

It was the dying prayer of this great man, that Great Britain and Ireland might be for ever united in the bonds of amity, and that the last stains of religious intolerance might be effaced from our system. Such has been the great object of his political life, and by his unceasing endeavours in this cause, he had not merely rendered himself the pride and ornament of his own country, but he was entitled to the reverential gratitude and pious affection of every Englishman. He trusted that he would not be too fanciful if he indulged a hope that the honours paid to Mr. Grattan's memory in this country, might have some tendency to promote the great objects of his life, by showing to Ireland how much we valued

services rendered to her, even at the expence of our own prejudices and pride; the man who has thus served her, must ever be the object of the reverential gratitude and pious recollection of every Irishman. When the illustrious dead are gathered into one common tomb, all national distinctions fade away, and they seem to be connected with us by a closer union, than laws or governments can produce; it is natural to dwell on their merits and their probable reward. I feel, therefore, that I cannot better close what I have to say, than by applying to Mr. Grattan the lines written on one who had successfully laboured to refine our taste and our manners, but had nothing in common with him other than a splendid imagination and a spotless life. Of Mr. Grattan, when carried to that spot where sleep the ashes of kindred greatness, it may truly be said,

> "Ne'er to those chambers where the mighty rest,
> Since their foundation, came a nobler guest,
> Nor e'er was to the bowers of bliss convey'd
> A purer spirit or more holy shade."

Lord Castlereagh agreeing with the remarks made by the Hon. and Learned Gentleman, as to the occasions on which a public tribute of applause should be rendered to those who were no more, perfectly entered into the feelings which had been expressed with respect to Mr. Grattan, and thought no individual could hesitate in awarding to his name the honours claimed for it. He could remember when he, (Lord C.) first came into public life in 1790, that Mr. Grattan was then in the splendour of his talents, and certainly no talents had ever asserted greater supremacy over a popular assembly than his had done. (Hear, hear!) — He was of opinion, that, in the great transaction which had been alluded to, England profited not less from the talents of Mr. Grattan than Ireland had done. By the victory which he had previously gained, Mr. Grattan had laid the foundation for that measure which had united the two islands of Great Britain and Ireland into one empire, and dissipated those mists which had before prevented both countries from seeing their true interests. The commercial bigotry which had once existed, was overthrown in consequence of his exertions, and the ad-

vantages resulting from this, were now felt in the wealth which each country poured into the other, and which it was now the business of parliament to fructify and encrease. He concurred entirely in the observation which had been made by the Honourable and Learned Gentleman, upon the eloquence of Mr. Grattan. It was no easy matter to transplant a tree after a certain period; but in Mr. Grattan's case, the tree had been successfully transplanted, and the House had felt its shade. Whatever difference of opinion might exist as to the great question which it was his intention to bring before Parliament, there could be none as to the transcendent merits of the great statesman who had made the last feeble effort of his expiring frame, to promote the welfare of his country. (Hear, hear, hear.)—He wished it were in his power to express in terms more adequate, the general political veneration he felt for the great character who was the subject of their present discourse. He was sure that there would be found as many, whose sentiments agreed with those so eloquently expressed by the Hon. and Learned Gentleman, on his (Lord Castlereagh's) side of the House, as there were on the other.—(Hear.) He was sure the virtues of that great character would long live in the memory of the British nation. (Cheers.)

Mr. C. Grant entreated the pardon of the House for occupying their attention for a few minutes on a subject which to him was so deeply interesting. He was glad that this occasion had not been allowed to pass, without paying that just tribute of panegyric to the memory of the late Mr. Grattan, because he thought it was due to the feelings of the House of Commons, to the feelings of Ireland, and he would add, of England; for we had also shared the advantage and glory of his talents. He would not enter into a detail of the public life and character of Mr. Grattan—it was satisfactory and consoling; that upon such an occasion all party differences should be laid aside. In truth, that great man was now far removed from all party differences; he had already taken his place among kindred spirits, to whom his distinguished virtues on earth had long been approximating him. That great man was as delightful in private life as he was in public. One great beauty in his character was, that love of retirement

which the ardour of his patriotism led him to forsake. To his last days he felt and admired all the silent charms of nature, with all the freshness and ardour of a first affection. He had had opportunities of seeing him in the midst of his family and friends, and of observing with what urbanity he gave himself up to the pleasures of domestic life. These recollections made him feel far more deeply the irreparable loss which himself, in common with the whole nation, now sustained; but they suggested another more useful feeling — the intimate connection there was between great public and great private virtues. In truth, Mr. Grattan's political virtues struck so deep, because they were deeply rooted in the domestic virtues. — (Hear, hear!)

Mr. Wilberforce observed, that the great public services which had been rendered, both to Ireland and to Great Britain by the eminent and lamented individual in question, had been well described by his Honourable and Learned Friend. Having witnessed all the exertions of Mr. Grattan's political life, after his introduction into this country, he begged to be allowed to say a single word on the subject. He had never known a man whose patriotism and love for the constitution of his country seemed so completely to extinguish all private interests, and to induce him to look invariably and exclusively to the public good — (Hear, hear, hear.) His mind was of a character which enabled him completely to triumph over party feeling on all questions of great public importance. (Hear, hear.) He could not abstain from remarking, that to this particular praise, Mr. Grattan was entitled in more than an ordinary degree; well he remembered, that when Mr. Grattan was apprehensive that the love of liberty, which no-one had more zealously infused into his countrymen than himself, carried to excess, might betray them into illegitimate conduct, he freely subjected himself to unpopularity, with a view to avert the evil, and to recal those who were giving way to it to a just sense of the beneficial and excellent qualities of the constitution under which they lived — (Hear, hear.) Mr. Grattan showed true wisdom in thus manifesting that the love of liberty was never so substantially gratified, as when it was gratified with a due observance of that proper rule and

subordination without which the principles of society must immediately dissolve. — (Hear, hear.)

Mr. V. Fitzgerald trusted he might be permitted to occupy the House for a few moments, with the expression of those sentiments which were common to all who had ever known the revered individual whose loss the country had now to deplore. He was fully sensible, that whatever might be said on the subject, might do honour to themselves and to the country; but could add no honor to the memory of such a man as Mr. Grattan. The Honourable and Learned Gentleman who had introduced the topic to the House, had expatiated on the character of his illustrious friend with an eloquence and a feeling to which every breast responded. It had been truly said by the Honourable and Learned Gentleman that, if they wished to read the history of Mr. Grattan, they must read the history of his country. With every memorable occurrence in Irish history during the last forty years, Mr. Grattan's name was connected; and he had stamped it with his character. It was superfluous to dilate on this subject. To Mr. Grattan's exertions, Ireland principally owed her independence. In his own words, the revolution then achieved was "alone in the history of empires, the revolution accomplished without shedding a drop of human blood." (Hear, hear, hear!) He would abstain from dwelling on any topic calculated to excite a difference of opinion; but it was impossible to contemplate the occasion and circumstances of Mr. Grattan's death, without some reference to that particular question, which, to the last moment of that great man's existence, occupied his whole heart and soul. Without entering into any discussion, whether Mr. Grattan's opinions on that question were right or not (the House knew his, Mr. V. Fitzgerald's sentiments upon it), he could not refrain from observing that there was, in the very manner and time of Mr. Grattan's death, a consecration of his opinions on that most important subject which was well calculated to augment their force and impression. He recollected that on the first occasion on which he had the honour and the happiness to hear Mr. Grattan in parliament, in adverting to the talents and services of his eminent but deceased contemporaries, Burgh, Yelverton, and Flood, he

observed, that although they had not lived to witness the restoration of the independence of Ireland, their genius might be said to survive, even in the measures which they had themselves failed to accomplish. " Mr. Grattan was more felicitous. His fame rested, not on measures which had failed, but on measures which had succeeded: but he (Mr. V. Fitzgerald) trusted that with respect to the other great principles so often and so admirably maintained by him in that House, his genius (to use his own expression) might survive and operate, though his mortal part had ceased to exist. (Hear, hear, hear.)

Mr. Beecher declared his conviction, that the House would make allowance for the feelings which must animate every Irish bosom on contemplating the qualities of the most distinguished and useful patriot that his country had ever produced. (Hear.) Without stopping for a moment to consider his own incapacity to address the House on such a subject, he should be ashamed to sit silently in any assembly where he had a right to deliver his sentiments, when the name of Mr. Grattan was mentioned; and he was sure that his sentiments were in unison with those of all who heard him, when he expressed his deep lamentation for the loss, and his profound veneration and gratitude for the services of the illustrious individual in question. He by no means intended to enter into any detailed panegyric on that great man. He was incapable of the task; and if he were capable of it, it would be altogether superfluous. His principal reason for rising was to mention to the House that a document — the dying exhortation of Mr. Grattan to his Catholic countrymen had been communicated to him (Mr. Beecher), which, with the permission of the House, he would now read. (The Hon. Member here read the document in question.) *

* The following is the paper alluded to. Finding himself unable to go down to the House, Mr. Grattan dictated it a short time before his death.

I have entreated of Providence to give me an opportunity to submit a few propositions, regarding your situation; they go to the Roman Catholic interest and to your own.

First, — I most strongly recommend that the two countries may

Nothing could, in his opinion, be more favourable to Mr. Grattan than this proof, in his dying moments, of his anxious solicitude that his Catholic countrymen might not fall into error. He (M. Beecher) trusted that they would not do so. He trusted they would not fail in the attainment of the important object which they had in view. If they should fail, he was persuaded it could only be by a departure from the

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never separate, and that Ireland should never seek for any connexion except with Great Britain.

My next advice is, that the people of these countries should not look to a Democratical Government; *they are not fit for it;* and the Democracy proposed, means *nothing but a military government.*

Universal Suffrage and Annual Parliaments, profess to give the people the power which *they do not.* Their first operation is to repeal all the laws which prevent the army from voting, and of *course leaves the election to the army.* The next operation is to remove all the laws that prevent persons who are connected with the revenue from voting, and *leaves the election to the influence of the Crown;* the result of both would be a *riot,* and not an election. I have just breath enough to enter my protest against both.

With respect to the Roman Catholics, they have a right to worship their God as they please, the Roman Catholics have *a right to believe in transubstantiation;* they owe allegiance to their God and to their king; but *they do not owe allegiance to the Pope;* there exists no right, there exists no power to control them.

Under these circumstances, I beg to propose the following resolutions.

Resolved, — That a committee be appointed, with a view to repeal the Civil and Political disabilities, which affect His Majesty's Roman Catholic subjects on account of their religion.

Resolved, — That such repeal be made with due regard to the *Inviolability* of the Protestant Religion and Establishments.

Resolved, — That these Resolutions do stand the sense of the Commons of the Imperial Parliament, on the subject of Civil and Religious Liberty, and as such be laid before His Majesty.

These resolutions contain my sentiments; *this is my testamentary disposition, and I die with a love of liberty in my heart, and this declaration in favour of my country in my hand.*

dying injunctions of their unwearied champion and best friend; and who had taken so solemn an opportunity of giving wholesome advice to them, as he had frequently done to those who were to legislate for them. He had gratified his own feelings in having said these few words; he hoped he had done no injury to the memory of the great man of whom he had been speaking; and he trusted he had not committed an unreasonable trespass on the patience of the House. — (Hear, hear.)

The motion was agreed to.

GRATTAN'S GRAVE.

Bowed down by patriarch length of days
And toil of public services,
Dim waned at last Life's wasted flame,
And Nature's final crisis came —
Yet then, even then, when withering pain
Press'd hard upon the breath and brain,
The spirits' quenchless element
Blazed forth all freshly and unspent —
For liberty one rally yet,
One struggle ere her sun be set! —
The Patriot willed — the mortal tried —
And in the glorious effort died!
He died, as might become the past,
Sublime and radiant to the last;
His latest accents breathing zeal
For freedom, and his country's weal.
For them he lived — for them would pray,
As life's low pulses ebb'd away;
But, in the midst, the prayer was riven,
On earth half uttered — half in heaven —
And sure, if dying Patriot's love
E'er reached the eternal throne above,
That martyr's pure, impassioned prayer,
Found audit and acceptance there.
Ranged by his bier in stranger land,
There mourn'd a good and glorious band,
Of majesty, and might, and mind,
The living lights of human kind;
And near his proud allotted bed,
Reposed the kindred patriot dead —
Yet 'midst that scene, where every name
Was shrined in History — dear to Fame —
Seemed the new inmate, entering there
Like some celestial messenger,
To reign alone — his memory
To dim all else — and every eye
Forgot the royal, good, and brave,
Rooting its glance in Grattan's grave.

And Eloquence, her son was weeping,
Among the mute now stilly sleeping;
And Erin's orphaned children sent,
Across the seas, their hearts' lament;
And generous England's chosen flower
Of chivalry, and worth, and power,
Mingled their manly sympathy
Above a name that cannot die.
The Patriot's memory will be blest
Wherever be his place of rest,
Yet his, perchance, had meeter been
In his own native valleys green,
Where pilgrim hands, with pious care,
Shamrocks, the first of spring, might bear,
And offer, all to them that's given —
Their fond, believing prayer, to Heaven.
But no — 'tis *here* his grave should be,
Majestic land-mark to the free,
Breathing a soul, a power, a spell
O'er men — a moral miracle —
Here, * near yon walls so often shook,
By the stern might of his rebuke;
While bigotry, with blanching brow,
Heard him, and blush'd, but would not bow.
Here, where his ashes may fulfil
His country's cherished mission still,
And when, by his example fired,
Some Patriot, like himself, inspired,
Again the arduous theme shall try,
For which 'twas his to live and die;
Here let him point his last appeal,
Where Statesmen and where Kings should kneel;
His bones will warn them to be just,
Still pleading even from the dust!

* Westminster Abbey.

By Thomas Moore.

SHALL the harp then be silent, when he who first gave
To our country a name, is withdrawn from all eyes?
Shall a minstrel of Erin stand mute by the grave,
Where the first — where the last of her patriots lies?

No — faint though the death-song may fall from his lips,
Though his harp, like his soul, may with shadows be crost,
Yet, yet shall it sound, 'mid a nation's eclipse,'
And proclaim to the world what a star hath been lost!

What a union of all the affections and powers
By which life is exalted, embellished, refined,
Was embraced in that spirit — whose centre was ours,
While its mighty circumference circled mankind.

Oh! who that loves Erin — or who that can see
Through the waste of her annals, that epoch sublime —
Like a pyramid rais'd in the desert, where he
And his glory stand out to the eyes of all time! —

That one lucid interval, snatch'd from the gloom
And the madness of ages, when, fill'd with his soul,
A nation o'erleap'd the dark bounds of her doom,
And, for one sacred instant, touch'd Liberty's goal!

Who, that ever hath heard him — hath drank at the source
Of that wonderful eloquence, all Erin's own,
In whose high-thoughted daring, the fire and the force,
And the yet untam'd spring of her spirit was shown —

An eloquence, rich — wheresoever its wave
Wandered free and triumphant — with thoughts that shone through,
As clear as the brook's "stone of lustre," and gave,
With the flash of the gem, its solidity too.

Who, that ever approach'd him, when free from the crowd,
In a home full of love he delighted to tread
'Mong the trees which a nation had given, and which bow'd,
As if each brought a new civic crown for his head —

That home where — like him who, as fable hath told,
Put the rays from his brow, that his child might come near,
Every glory forgot, the most wise of the old
Became all that the simplest and youngest hold dear.

Is there one who hath thus, through his orbit of life,
But at distance observed him — through glory, through blame,
In the calm of retreat, in the grandeur of strife,
Whether shining or clouded, still high and the same —

Such a union of all that enriches life's hour,
Of the sweetness we love, and the greatness we praise,
As that type of simplicity blended with power,
A child with a thunderbolt only pourtrays.

Oh no — not a heart, that e'er knew him, but mourns
Deep, deep o'er the grave where such glory is shrin'd —
O'er a monument Fame will preserve 'mong the urns
Of the wisest, the bravest, the best of mankind!

ON A LIBEL, SAID TO BE COPIED FROM AN IRISH NEWSPAPER*, ON THE MEMORY OF MR. GRATTAN.

Can it be that from Ireland the calumny came?
Was it there that a heart and a hand could be found
To rake up the ashes and rifle the fame
Of the mightiest man that e'er hallowed her ground?

Does she boast her exemption from venom no more?
Most wretched, but long the most pure spot of earth!
Have the tears of her sons washed the charm from her shore,
And *corruption* hatched vile things like this into birth?

* The Hibernian Journal, now extinct, conducted on Orange principles under the administration of the Duke of Richmond, Lord Talbot, and Mr. Saurin (Attorney General.)

No, no — let us hope that some less favoured clime
Engendered the crawler; which crept from the gloom
To shake off its covering of slander and slime
In the brightness that shines round the Patriot's tomb.

Or is it that fame — like the mouldering clay
In the charnel — is doomed for a while to remain,
Of self-begot reptiles the sport, till the day
When the loud trump of Heaven shall arouse it again?

It would seem so — for all whom the world has adored,
Let their glory be built on what structure it might,
On virtue or valour — by pen or by sword —
Have had spots on their disk, be it ever so bright.

Let us look through the vistas of History's page,
And we see not one name of the good or the great,
Ungnawed by the loathsomest worms of the age —
And can Grattan find freedom from Cicero's fate?

But no fear for his fame from such reptiles as those,
When Wellington, Castlereagh, Canning were proud
To wash out the shame that they once were his foes,
In tears which bedewed every fold of his shroud.

Little fear for his fame, when a hand weak as mine,
That was palsied by grief when the Patriot died,
And *dared* not his greatness disgraced by one line,
Has nerve to crush *this* thing by which he's decried.

Still let not the unavowed wretch slink from day
In some bye-place of scorn — for when ruffians infest
Each illustrious traveller on honour's broad way,
We must gibbet some victims to frighten the rest; —

Let him skulk not unknown, but immortal uprise,
Like the Grecian incendiary, blasted by Fame;
And when temples to Grattan are piercing the skies,
On their basements be sculptured the Libeller's name!

1821.

MONODY

ON

THE DEATH OF MR. GRATTAN.

Attributed to Mrs. Richard Trench.

THE phœnix of our isle ascends on high:
He did not idly wait
Th' impending stroke of Fate;
The noble bird prepar'd his nest to die.
The scintillating flame
Arose to heav'n, from whence it came,
And leaves a trail of light along the sky.

Grattan! thy triumph over death,
Thy fervid days' majestic close,
Thy kindling hope, and bright repose,
Bequeath'd us, with thy parting breath,
A boon as great as ought thy mind
E'er strove to win for human kind.
We catch a glimpse of unknown pow'rs,
More of the coming world than ours,
Seeing, that high and holy views
Such glories o'er thy couch diffuse,
That life can nought more precious give,
Than thus, like thee, to cease to live.

Thy patriot heart desir'd t' exhale
Its latest sigh within the pale
Where Chatham, deeply honour'd, fell,
Dying, like him, in duty's path.
Heav'n check'd this wish — not in its wrath,
But lest thy rising soul should trace,
In those it loved on earth so well,
Such pangs as time can ne'er efface,
Had other eyes or hearts than theirs
Bestowed the last and dearest cares.
For, blest and blessing in each tie
The charities of life supply,

'Twas thine domestic joys to prove,
Through a long line of circling years,
Whose mingling radiance but appears
One summer's day of wedded love.

Oh! was it not a piercing task,
When a pale daughter knelt to ask
A dying father's last reply!
As Royal Sussex pray'd, that all
Of noble Grattan, that *could* die,
Might wait the last triumphant call,
Where poets, heroes, sages lie.

Deep love explor'd thy fading eyes,
So near their total, last eclipse,
And saw a transient spark arise —
Saw a sweet smile pass o'er thy lips,
And in the pressure of thine hand,
As cold before as mountain snow,
Now warm with momentary glow,
Felt how the vestal flame was fann'd;
That, deep within thine ardent soul,
Blaz'd under virtue's strong control,
Immortal as from Heav'n it came,
The pure, ethereal love of fame.

When, on Ierne's emerald shore,
Thou saw'st her grateful myriads pour;
Her cliffs all kindling into life,
As swift receded from thy view
That beauteous theatre of strife,
The land that found thee always true —
The workings of thy mighty mind
Must in their circle have combin'd,
Of thought, of feeling, passion, more
Than ev'n thy eloquence could reach —
Too deep for tears, too strong for speech.

The multitude, with fond respect,
Awhile each mark of feeling check'd;

The light wave, rippling on the shore,
Was plainly heard — the parting oar.
But when this hallow'd silence broke,
When ev'ry voice was heard to swell,
In one magnificent farewell,
As if thy country's genius spoke,
Far as th' inspiring sounds extend,
The ocean, Freedom's awful friend,
Thrill'd through his inmost depths, and murmur'd
hoarse applause.
While on thine heart an impulse fell,
That, sweetly soothing, seem'd to tell
Of triumph to thine holy cause.

What was thy sum of public life?
One long and exemplary strife,
To banish all that darkens earth,
And serve the land that gave thee birth.
Thy youngest hope — thy latest care —
Thy daily wish — thy dying prayer —
Was freedom of the noblest kind,
The freedom of th' immortal mind.

Thy energy nor rose nor fell,
As pride might wake, or passion swell;
Such in thy bosom could not dwell:
'Twas a bright river, swiftly flowing,
Abounding more as onward going:
Now with fertilizing course
Diffusing plenty; now with force
Upheaving dark and ruin'd tow'rs,
Grey relics of barbaric hours.
Thine eloquence illumined high
Whatever caught thy mental eye;
Adorn'd the lovely form of Truth,
To claim th' enamour'd vow of youth,
Dispell'd the mists in Error's dark domain,
The conscience pierc'd with salutary pain,
Call'd forth new feelings, waken'd dormant powers,
And bade the desert bloom with vernal flowers;

Pale Bigotry her war-whoop sang in vain,
And charm'd Attention hugg'd her golden chain.

Yet, though thy name illume th' historic page,
As patriot, statesman, orator, and sage,
Though nation's blest and rival senates hung
On the commanding accents of thy tongue —
There was a daily beauty in thy life,
In Nature's lap, remote from toil and strife,
Soothing deep sorrow with this dearer boast,
Who nearest saw, admir'd and lov'd thee most.

SPEECHES

OF THE

RIGHT HONOURABLE

HENRY GRATTAN,

&c. &c.

RETRENCHMENT.

MR. ROBERT STEWART'S MOTION REGARDING THE EXPENCES OF THE NATION.

February 2. 1778.

ON this day Mr. Robert Stewart brought on the motion of which he had given previous notice: he stated the expenditure of the country, and the distress under which she laboured: he recommended to government to contract their expences; and, in order to lay the foundation for retrenchment, he moved the following resolution: "Resolved, That the expences of the nation from Lady-day, 1763, to Lady-day, 1777, have exceeded its income." This motion was supported by Sir Edward Newenham, Mr. Frederick Flood, and Mr. George Ogle, who severely inveighed against the pension list; it was also supported by Dr. Clement, Mr. Martin, the Prime Serjeant (Mr. Burgh), and the Provost (Mr. Hutchinson). The Prime Serjeant said, that the motion was proper and necessary; that the distresses of the country were at their height; the resolution did not reflect upon the viceroy, (Lord Buckinghamshire,) who he believed was disposed to render the nation essential service; that nobleman had not left a hope deluded or a wish restrained; he also entertained a favourable opinion of the administration with whom he had acted during the session, but he must now take a contrary part, and neither the voice of ambition, interest, or affection, could urge him to vote contrary to the dictates of his judgment, or of his heart. Mr. Foster said, that the motion was grounded on truth, and that though he had voted with the government during the whole of that session, he must now vote for the question.

The motion was opposed by the Attorney General (Scott afterward Lord Clonmell,) Sir Henry Cavendish, Mr. Hearne (Secretary), and Mr. Henry Flood (Vice Treasurer): he entered into a long statement, and a numerical calculation of the expences of the country. Mr. Monck Mason at length stated, that though a negative could not be given to the fact of an increase in the expences of the nation, and the excess over its revenues and income, that it did not state the whole of the truth, because, although the resolution declared that the expences exceeded the revenues for fourteen years, yet it did not show the causes, and left an unjust stigma upon government. The expences had arisen in a great degree from the great excess of parliamentary grants and bounties; with a view, therefore, to negative the motion, he moved, by way of amendment, to insert after the word "resolved" the words "that it is now necessary to declare."

Mr. GRATTAN said, Ministers long ago declared that reduction was necessary, but instead of reduction there has been increase. A considerable part of the late increase arises from great salaries given to sinecures, the more glaring on account of the rank of the proprietors. Gentlemen say the prices of things have risen: even if the observation extended to sinecures, it has nothing to say to the present increase, because the price of things has but little varied since 1765, and not at all since 1773, and because this alteration in the price of things, if it were a fact, should have in the same proportion increased all the Judges' salaries, and the wages of every officer in civil and military establishment within the same period, — but the salaries of effective men have for the most part continued as they were: it is idleness chiefly has felt an alteration in the price of labour. It is said there is a growing difficulty in suppressing smugglers; this is no argument, even though the expence did not arise from sinecures, because the growing expence is founded on a growing extravagance. A corrupt and jobbing policy has driven us to attempt new taxes, which force the condition of trade, and are a premium to smugglers, and a new swarm of smugglers give birth or pretence to a new swarm of revenue officers, with new burthens on the people, and with an army of penal laws; so that the old deficiency of revenue is brought about again by the smuggler who defrauds, and by the job of government that intercept the revenue, and the practice of running in debt is thus rendered immortal. This prodigality, which blasts the nation at its birth is rendered the more inexcusable, when we consider that in order to avoid this very mischief, (a return inadequate to the tax,) we have superceded trial by jury; we have granted the most summary

powers of search; we have granted the most summary right of proceeding and military execution; we have trenched upon the subjects' birth-right, for the better collecting the revenue by the laws of Excise, which revenue is afterwards sacrificed to the sinecure officers of the Customs. Do we not know what a scene of eagerness, what a scene of avidity, and scraping tyranny the revenue is, and how difficult it is for the subject, upon that infirm business, to stand upon his constitutional right, against the further encroachments of hungry excise? Do we not know what power is granted to a low exciseman, a description inferior to a surveyor, to command the army, and enter into the subject's dwelling by right, with all the licence, and terror, and plunder, which are to be apprehended from meanness and ignorance united to command? To do what? to collect the revenue at 15s. per cent. in order to engraft a sinecure or pension establishment on that of collection: the theory is tyranny, the practice is waste, the revenue dies, whether intercepted by the smuggler or by the jobs of collection. I therefore say, that the Parliament which makes smuggling in the lower classes felony, should in the higher classes make the intercepting the public revenue (which is the worst species of smuggling) an object of reduction.

What is done with the revenue after it has been mismanaged in the collection? Hardly out of the hands of the collectors, it meets with a deduction in the *additional salaries* granted to the vice-treasurer and clerk of the pells. The civil list is now 9000l. greater than in 1773: increase, if necessary, the salaries of effective officers, but why increase the salaries of those who have less to do than ever, or of those who never had any thing to do at all? Why is there scarce a sinecure whose salary government has not increased? Has business or trade multiplied on us so exceedingly to justify or necessitate this public ruin.

I appeal to those gentlemen who labour under the want of something to do, whether the places they fill are not superfluous. 9000l. in two years, you will say, is not much, but 9000l. in the two last years, superinduced on an increase in the two years before, more expensive than any former years, accompanied with an increase in every other establishment, is not only an insupportable burthen, but a deadly proof of that active spirit of waste which has, under a succession of governments, hurried us on with an accumulated velocity to general bankruptcy. I can see as well as any other man that this or that drop of blood is not from the heart of the nation; but I

cannot, like them, avoid contemplating the languid state of that body, which they bleed so repeatedly and so profusely.

So much have those new places and new salaries grown upon the compliance of the country, that the civil list alone is now merely double what it was twenty years before, of which 37,000l. has been the creation of the last ministry. The three establishments, civil, military, and revenue, have, under one administration, increased 80,000l.; a ground surely for this motion. The people, who see that employment is not in the contemplation of such places, grow suspicious: they think (injuriously I allow) that the officer is not appointed to the office, but that the office is fabricated for the officer; not that he may discharge a duty under the crown, but betray a trust he holds under the people, that invention is jaded, and the catalogue tortured, to find denominations for places mounted upon the establishment to out-balance the voice of the people, by committing a robbery upon the revenues of the community; that places are not created for individuals only, but that we have established and entailed upon the public whole foundations of idleness, so that, in the opinion of the people, we are deliberating not only about limiting an expence, but setting bounds to a slave trade.

The pension list alone, were it unaccompanied with the the subsidiary list of sinecures, calls for this motion, - - that national incumbrance, — that public disgrace, — in whose increase every thing that should be respectable is blasted, — the law, the faith, and the propriety of government, — that list, which has in one day been increased 24,000l. by the solemn and wasteful hand of one administration, that had preyed upon the vital strength and the contributions of the people. Do you doubt these things? Can any man doubt this who recollects what regularly happens after the prorogation of Parliament, and before the departure of an administration? When the day of promise is at hand, and the secretary's office opens to hear the causes of those men who have opposed economy, and have claims upon profusion, who have marred a great public question by a corrupt amendment, and can advance the pretensions of some signal disgrace heaped upon themselves and their country.

Nor is it only that the nation is impoverished by the corrupt spirit in which ministers have increased every salary; the country is plundered by their inadvertency: by yielding to the importunities of some, they teach all men to be importunate. One job is the father of a thousand pretensions: the known prodigality of His Majesty's ministers in Ireland has taught

immodesty to the officer; and where every thing is a job, every man will be a claimant.

Thus has this new system, (or I know not what to call it,) of venality and prodigality, advanced upon this country with a solid and accumulating strength, which has broken down the great works of the constitution; the spirit of making places, and of giving sinecures and additional salaries, destroying the action of the executive, has come upon us in such an ignominious train of prodigal idleness, that the pension list alone is now greater, by 20,000l., than the whole civil list was twenty years ago, of which fifteen have been years of peace — I say of peace (of prosperity I will not call them): look at one another, and ask, where is that inundation of merit, or of business, that can arm the tongue of past administrations with the shadow of an argument for such unparallelled mischief?

The service of the crown has sunk, the emoluments have increased, its dignity vanished: the supposition of hire precludes the idea of honour.

Ministers have taken the jewels out of the crown, and have staked them against the liberties of the people.

As to the military establishment; it was, in 1771, 976,917l.; it is now 1,037,101l., the most expensive army in Europe. Since 1771, there has been an increase of 61,000l., and yet we are not better defended. Since 1773, that period of promised economy, the military list has increased 22,000l. Pells and poundage have been excused to the army, amounting to 22,000l., a measure which will neither excuse nor account for the difference; — a measure which, in itself, might have been right, but certainly was wrong in the manner of adopting it; for it was carried into execution without consulting parliament, in addition to other expensive military regulations, by an administration which had promised reduction.

That 15,000 men cannot be fed, clothed, and disciplined, for less than 500,000l. is what no financier in the world, except an Irish secretary, will assert. The King of Prussia would not say it: the King of France will not say it, whose military establishment, in time of peace, is 240,000 men, and whose expence, with our economy, would be 7,000,000l., yearly. There is a report of a committee appointed to enquire into the state of the army in 1767, from which it appears that the charge, including payment by King's letter and all other military expences, exceeded the most expensive years before the late war, in the amount of 270,000l., and that the nation was not better defended. Upon that report, an address was presented to His Majesty, praying two things, — defence and reduction: — the address was graciously received.

Afterwards, the augmentation was proposed, and 100,000l. was added to the expence complained of; and since that augmentation, regulations have been made, most of expence, none of reduction. As to the capacity to reduce the military expences, it is evident from the promises repeatedly made, though hitherto little regarded. With respect to the saving by the absence of 4000 men of our army, it is but an occasional relief from the establishment which government have recommended; and it would be rather unreasonable that Ireland should pay for 11,000 men in foreign service: I speak of the economy of the military establishment in Ireland. As to the question of security, I pass it over in silence; and I do say, that the military establishment of Ireland, which is now 1,037,000l., and 24,000l. greater than in 1773, is an object of reduction.

To increase that enormous expence to the amount, which is a new tax, in addition to the expence of the augmentation while parliament was sitting, and the ministers talking of economy, was a boldness not to be justified by the propriety of the measure itself; it was a falsification in government of their own estimates; it was the anticipation of parliamentary sense, and public treasure, not reconcilable to that deliberative character, which, in all matters appertaining to money, the Commons ought to possess without insult or violation. I do not say that our army should not be as well paid as any army in Europe: let it be amply provided for and paid up to the day. The bravery of our troops in defending their country would have been a good motive for Parliament to increase their pay, but no justification to ministers for invading the spirit of her laws.

If any man should now say that Lord Townsend's establishments were not prodigal, I will recall the solemnity of Lord Harcourt's ministry to answer him; — Lord Harcourt's ministry, who stated the expences of the Townsend government capable of reduction at 50,000l., and promised reduction to that amount, with a grave and solemn emphasis: — 50,000l.! that was the sum of the superfluous prodigality of their predecessors' expences admitted in 1773, by Lord Harcourt's administration: What was their own? an increase of 9000l. in the civil list, of 22.000l. in the military, of 24,000l. in the revenue, besides new pensions, in the two years, of 24,000l., in all 80,000l.: 80,000l., the prodigality the last ministry created, in addition to 100,000l., the prodigality ministers admitted. I cannot in general revere the authority of that ministry, yet in favour of retrenchment it is the highest opinion, for it is the testimony of an enemy.

I mentioned 80,000l., the new expences created by the last ministry; expences memorable, because they happen to be equal to the whole amount of the new taxes; memorable, for they are a strain of profusion unparallelled; memorable, because men ashamed of that ministry on account of such expence endeavour to entail that expence upon the people: the ministry, the grave ministry, that asked for new duties to supply the old exceeding of the establishment, upon express terms to diminish those old expences; so that the result of grants and management might be equivalent to the old expence they promised to diminish, added new expences of their own, equal to the new duties, and extinguishing them, making the stamp act and the tax upon wine a personal grant to themselves and their connections, not a fund for government; and do we doubt whether reduction is necessary? If we suffer the public revenues to become the prey of individuals we put an end to all government, and of course we diminish allegiance; allegiance will not be withdrawn though protection is, but it will be a murmuring allegiance ill deserved, and reluctantly paid.

What are our expences? 2,173,700l.: what are the revenues? the highest years of income were the two last, they were 1,900,000l., they were the lowest years of expenditure; for a fourth part of the army was withdrawn; that is, an expence of 260,000l. was not upon the establishment: where is the saving? the expenditure at its ebb, the revenue at its flow scarcely equalize: what is the average revenue? 1,900,000l.: what the full establishment? 2,173,700l. Thus there appears a difference between the revenue added by the new taxes, and the peace establishment of Ireland, of 273,700l. Must it not, then, strike gentlemen with some contrition, and should it not tend to humble corruption, when they find the farthest mark to which our revenue will go, and where it will not stand but retire is less than the peace establishment, in a sum of 300,000l.? That man, therefore, must be dull indeed, who, in the present state of affairs, does not see a decisive argument for reduction.

I will prove a certain exceeding from every point of view to which the advocates for continuing expence can turn, and unfortunately no progress is more easy: if they look forward, they cannot now see any produce from untried revenue. The great argument in 1775 against this motion was, that the revenues had not been tried;—they have now been tried, they have produced more than they will hereafter; and no man can now shut his eyes and affect to indulge in a golden dream of revenue, flowing with new abundance into our exhausted

treasury. If they will look behind, they will find a former administration in 1773, echoed by the then house, declaring that the annual exceeding was then 272,000l. Now as the then expences did not diminish, and the present expences are more than the new taxes, we must continue an exceeding not less. If they look a little further back, they will find, in 1769, a loan of 200,000l.; in 1771, a loan of 200,000l.; in 1773, a tontine of 262,000l.; in 1775, another tontine of 272,000l.; in 1777, a fourth of the army away, and no saving. Thus, from what we have paid, and from what we have not saved, there is an argument whose fallibility I cannot see, that our ordinary expenditure does exceed, and must continue to exceed, our income, in a sum not less, but considerably more than 273,000l.

Here, gentlemen, who cannot deny the disease, postpone the remedy; wait till the army returns; that is, wait for another arrear: debating as we now do about preventing a mischief, the languor of the country interposes, and modestly recommends to the people to postpone the remedy until the mischief has happened. Will those gentlemen, who know with how dilatory a step ministers generally move to frugality, recollect it would be difficult to bring reduction, determined upon this day, into operation, before the army will come back on the revenues? or do they hope civil war will never cease? Let those gentlemen contemplate what will soon be the weakness of the British empire, wrecked in the barren vortex of that pernicious contest with America; how likely to require some aid from us, when the house of Bourbon gathers about her, and like an exhausted parent she faints back upon the only child her violent councils have left her. On such an occasion would the servants of the crown lament that we had paid off some part of our debt, or that we had a surplus of loan duties?

Will those gentlemen recommend the Commons to determine that we are never to diminish our debt, that occasional relief (as part of our army paid by England) shall only be a suspension of bankruptcy, and an encouragement to multiply the viciousness of those immortal establishments?

If you say it will be time enough to retrench when the army returns, you admit the practicability of retrenchment; and if it is practicable at any time, when will a nation in debt a million put it into practice? When, but now. Now, when your resolution can operate time enough to make way for the return of the army. Or, will you wait until the present expence roots itself deeper into the establishment; until a new profusion, encouraged by us, shall be engrafted upon the old;

until Lord Harcourt's prodigality, which it is now our object to reduce, shall become henceforth the standard of reduction?

Those gentlemen who say it is not now necessary to retrench are reduced to this dilemma, either the revenues are equal to the full compliment of the establishment, or they are not; if unequal, the rejection of this resolution is the certainty of a future debt; if equal, they must allow, that inasmuch as there is no saving notwithstanding that equality, the present government has wasted 300,000l. of the public money; and, far from opposing a motion for future economy, they should promote an enquiry into past profusion. There are but three ways you can take: either run on in debt *ad infinitum*, grant new taxes to the amount of 100,000l. per annum, or retrench. As to the general idea of running in debt, upon system, in time of peace, I object to it, because it is ruin, public ruin; a practice irreconcileable to the principles of government, of peace, or to the duty of Parliament. I object to the idea as applied to Ireland, because we have but little trade, and at this particular time the loan duties are exhausted; and now, in Ireland, every new debt must be a land-tax. We must impose a new tax upon the subject to preserve the pernicious practice of running in debt in time of peace, (that species of public death): — Providence then seems to have dictated to us the present necessity of retrenchment as far as Providence can admonish a people without their destruction. But, if we impose new taxes, in order to continue the old habits of corruption and expence, what method shall we take to fund the respective debts? Will you go back to a loan which you did not desert until it had deserted you? Or, will you borrow, at 6 per cent., 200,000l. every session, with accumulated advantages to the individual, and accumulated disadvantages to the state? In eight years hence you will have added to your debt 800,000l., and will be in a progress to a third million; you will have raised in new taxes 50,000l. more than you do at present; you will have a debt of two millions, and you will have the recurring necessity to fund it. In eight years, what will you do when you have raised in new taxes, at 4 per cent., 40,000l.? or, at 6 per cent., 60,000l.? and when you have 100,000l. excess, to supply by new taxes, or by new loans? the motion for retrenchment will then come too late, it will come after the evil is incurred. And yet this will be our situation unless we are so fortunate as to unite two things, a continuation of peace, and an abatement of the rapid spirit of expence, either of which are unlikely, and both impossible.

I therefore say, this course of running in debt must be forsaken, — this vile policy of falsifying estimates, of making peace,

a debt of millions, of making committees of account, mockery, —a course of madness and profligacy, which compels us to hope for nothing better than a slow fever, but which at length must stop, unless government is the enemy of the kingdom, and Parliament the slave of the government.

Suppose the committee of ways and means sitting, what will it tax? Beer — English beer. Will administration take that tax? Home-brewed beer. Will it annihilate that brewery we have oppressed already? or will you turn to the tobacco trade which you have lost? or will you double the stamp act? The stamp act, if quadrupled, would not raise 100,000l. more than at present. Or will you pass a window-tax in time of peace, in addition to hearth-money, and condemn the poor to a dungeon for ever? In all the contests between the wretched condition of the subject, and the liberal disposition of Parliament, we may make that condition more vexatious, not more productive: — the omnipotence of Parliament may destroy trade, it cannot impregnate; it may stop the circulation of law and letters, it can do no more. In Ireland, the iron hand of poverty limits the omnipotence of Parliament.

Or shall we endeavour to transfer the scene: we cannot raise and starve public bounty and humble our past establishments, — it would not do; for though we were to take the robe off the back of the people in order to make a livery for placemen and pensioners; though churches and public works were left to decay, and became as rotten as our policy; though we were to steal from the Dublin distresses, and spurn into the street the Foundling Hospital, with all its orphans; though we were to live for administration only, and the majesty of the people were to go naked and threadbare to accommodate the household of the Castle; — yet we could not supply to their profusion 100,000l., by denying every thing to the necessities, the improvement, and the decencies of our country.

There are men ashamed to deny the necessity of reduction, who affect to differ about the mode: they think the reduction should come from the executive power. I have three objections to that mode of reduction: 1. It forgets the situation of government; 2. The province of Parliament; 3. It is not sincere. To rest the fate of this country upon the speculation that administration will establish a self-denying ordinance is a credulity that would disgrace the simplicity of the most simple statesman: in any country it would be folly, but it is madness in Ireland. What! shall we, who have been doing nothing else but confiding in government, and who have paid for that confidence millions, shall we now look for retrenchment

in the causes of profusion? Is it not somewhat fond to suppose that any Lord Lieutenant, who is not of this country, will commiserate the exhausted state of the people, when her own representatives have thought such a state of debility not an object for concern but a season for liberality? I am willing, if courtiers desire it, to allow a Lord Lieutenant, under whom we have not yet smarted, every thing which I can allow to man, without being impious to our Maker, but I will not allow any Lord Lieutenant of these days either will or ability to retrench the corruption and profusion of the Irish government to the necessary limit, unless under the compulsive force of the resolution of Parliament.

His Excellency's determination is so far from being a reason to make this declaration unnecessary, that his situation makes it peculiarly incumbent upon us to adopt it. What is the situation of that man who, we are told, is to be the saviour of the country without the aid of the resolves of Parliament? He is employed by one English ministry, enemies, I do believe, to the liberties of England, whose venality has debauched the constitution, and whose violence and servility have lost her empire; a ministry whose fatal existence England, to her latest hour, will lament in an augmented debt, a diminished trade, and separated colonies. This Viceroy with good qualities, I make no doubt, is not indulged in the exercise of a single public virtue; an instrument of English power, with a license to plunder: — this is his commission. What does he find upon his arrival? a host of suitors: every attention venal, every civility, a conspiracy against that economy on which conscientious governments will rest the fate of their courts; we are therefore not only to protect the people against such an administration, but to cover and encompass the Viceroy, to protect him not only against his own weakness, but our vices, that importunity may not become a new charge, and that His Excellency's facility, like Lord Harcourt's eagerness, may not become a public malefactor.

But if the Lord Lieutenant were disposed to economy he cannot act without knowledge, and what knowledge can he get but by consulting, and with whom shall he consult upon the state of the nation? Some of the gentlemen who have argued against reduction in Parliament are of the council, do they advise reduction? If they counsel as they argue, one would say the whole hereditary revenue was subject to arbitrary disposition without the control of Parliament.

I suppose the council sitting: what shall the Viceroy say? "My Lord, you who have a pension; you, Sir, who have an additional salary; you, Sir, who have applied for one; do

you think that the kingdom can bear you?" With whom then shall he consult, but with those whom the constitution appoints, and the law acknowledges his great council, the representatives of the people. I hear His Excellency is proud, I rejoice at it; it will turn him from the suitors of his court to take advice from his equals; us of the Commons; and what counsel shall we give him, shall we tell His Excellency that it is not necessary to retrench? I am sure if we do, we shall not tell the truth. Observe the inconsistency of man: we are taught to say it is not necessary to retrench, because His Excellency will of himself retrench without a licence from the English ministry in opposition to the persons immediately about him, though the Commons of this country have declared retrenchment to be unnecessary.

To those gentlemen who would seem to think that the executive power is a better judge of the ability of the representatives of the people, I will say, what every man knows, though they seem to have forgotten it, that it is the duty of the Commons to inspect and control every article of expence, and if the Commons cannot control expenditure, it is the minister who gives and grants, and we are his ways and means, men sitting in a distracted committee, lagging after his profusion. But I will say, that if the ancient parliaments in England had adopted their sense, the kings of England had been often beggared by their ministers, if they had not been protected by Parliament: it is the special duty of the Commons to protect the King against the profusion of his ministers: It was the ancient practice of the British Parliament: they not only control grants made by the King, but they proceed to punish the minister in virtue of their two-fold authority, — purse-bearers of the nation, and grand inquest. They did so in the time of Richard the Second, when they had judgment against Richard de Vere and others, for intercepting the public revenues, as our revenue establishment does: they did so in the reign of Henry the Sixth, when they had judgment against the Duke of Suffolk, for that he being of the King's council had procured grants to divers persons, whereby the King was impoverished, his inheritance diminished, and the Commons extremely charged, preventing not only the expenditure of the public funds, but of the private inheritance of the King. They did so in James the First's time, when they had judgment of fine against Lord Middlesex, among other things, for grants to himself and his connections. What had been the situation of the kings of England, if, instead of making extortioners, (and public money granted to individuals in great numbers without merit, or in a proportion above their

merit is extortion,) if, I say, instead of making them refund, their Parliaments had dealt in such amendments as these? How often, by enquiry, by presentment, by impeachment, have the Commons vindicated the King and his Royal family against the rapacity of his court? Turn to your own Journals, and there you will see satisfactory resolutions of retrenchment. What is the meaning of this very amendment? that it is unnecessary now to declare; that is, that it is not an unconstitutional but an unseasonable declaration. What is the meaning of those petitions from the Vice Treasurer, Clerk of the Pells, and Teller of the Exchequer, for increase of salary? what but that the increasing expence of establishment is a matter in which the Crown is not the exclusive judge. The constitutional proceeding is through the Commons, against the excess of establishments. These resolutions will be an admonition to the minister, and from the highest authority. If he is contumacious, we may refuse the supply; but I fear we have forgotten the principles of our constitution in the practices of our government.

The question was then put on Mr. Mason's amendment, Ayes 126, Noes 74, Majority 52.

And the question thus amended passed in the negative, Ayes 79, Noes 124, Majority 45.

Tellers for the Ayes, Mr. Fitzgerald and Mr. Beamish.
Noes, Mr. Robert Stewart and Mr. Ogle.

ADDRESS TO HIS MAJESTY.

MR. GRATTAN'S MOTION ON THE DISTRESSED STATE OF THE NATION.

February 6. 1778.

IN consequence of the American war, the restrictions upon the trade of Ireland, and the embargo laid by proclamation of the privy council, upon the Irish ports, the distress of the nation had increased beyond measure; the manufacturers of Dublin could procure no employment, and their goods could find no market; petitions were presented to parliament, setting forth the wretched state of the country in general, and of the people of Dublin in particular, but they were of no avail; and when to these calamities were added the extravagance of government and the shameful grants in pensions, it seemed in vain to hope that any relief would be obtained through the councils of His Majesty's ministers in

Ireland; Mr. Grattan, therefore, thought it would be advisable to lay before the King a full detail of the national distress, and he accordingly on this day proposed an address to His Majesty.

It is a matter of regret that so imperfect a sketch of his speech remains, but the speech and address will suffice to show the wretched state to which the nation was reduced by a bad system of government. Mr. Grattan requested the speech of the Lord Lieutenant should be read, which being done,

Mr. GRATTAN said, The speech showed His Excellency had received His Majesty's commands "to co-operate with his Parliament in every measure which could promote the improvement, insure the happiness, and cherish the true interests of this kingdom:" this plainly declared His Majesty's intentions that the Commons were to point out the way that would lead to those salutary purposes, and that His Excellency would co-operate with them: it was in that spirit, and to fulfil the duty of the Commons, that he drew up the motion which he intended to make. Hitherto every proposal for retrenchment had been frustrated, and instead of retrenchment they had a fresh increase of debt; for all such proposals had been treated as if they were inimical to His Excellency's government. Motions of the last importance were either frustrated by a previous question or by a negative; and a self-evident proposition, which even gentlemen on the other side of the House confessed to be true, had been opposed, and amended until it was rendered nugatory. He had no doubt of the goodness of His Majesty, and that he was willing to redress their grievances, and lighten their burdens, if he was once made fully acquainted with the true state of the nation, which would be best done by the address he should propose. In this address, although the pernicious effect would be faithfully depicted by a series of mal-administration, which had exhausted the national money; by squandering it with the most lavish profusion in an increase of expence; by a most enormous load of unnecessary pensions, offices, and sinecures; yet he would put the present administration entirely out of the question: he would make no charge against them; and he hoped, therefore, the present servants of the crown would not put any bar in the way of the address, but let it arrive at the foot of the throne. If we examine (said he) every single article of expence, we shall find an exorbitant increase, the more shameful as it was the more unnecessary. The civil list has increased since the year 1775 from 283,434l. to 314,285l., an increase of 31,151l.; the extraordinary charges had increased in the same time from 282,945l. to 376,228l., an increase of 93,283l.; whilst military contingencies had mounted from 17,145l. to

27,171l., an increase of 10,026l., and concordatum suffered an exceeding of 51,088l.; add to these an increase of pensions to the amount of 72,813l.; and add all these exceedings together, and we shall find they amount to 207,973l. for the last two years only. To all this we have tacitly consented: we have heard of people enslaved by governors, but seldom by themselves. The chief sources of our misfortunes are the pensions, additional salaries, (some for mere nominal places,) and a creation of useless officers. Besides these, there are exceedings on concordatum by warrants signed; and to complete our calamity, and put it almost past hope of remedy, the surplus of the loan duties, which might otherwise have paid some of our debt, is appropriated to pay the interest of a new loan; such is our present condition, and what revenues, what public mines, have we to enable us to bear all this? It is evident our ordinary expences exceed our ordinary revenue; and if we should expect the stream of trade will never ebb, and that we should have no war, yet we must sink under our present peace establishment. We have had no war, no famine, no public calamity, during the last fourteen years, and yet we are plunged in distress, to add to which, our trade has been made still less by an embargo. I suppose gentlemen are averse to His Majesty's knowing the real state of the nation, lest on a future day, if Great Britain should ask any assistance, it would deprive them of their hopes of advantage, and beggar the profusion of the ministry. I cannot think a reliance on the goodness and virtue of the Sovereign could be deemed an insult to his representative, but that it would be the best means of answering His Majesty's intentions, and causing a true co-operation for the public good. Administration have sacrificed the public money to private persons, and sent away our troops, so that we are left without men or money. It is boasted, the present administration has not increased our public charge, but has it decreased it? It is said, this is not the time to address the throne: when will the time come? The last administration borrowed 400,000l. Is the time yet come? This administration has borrowed 166,000l. Is the time yet come? The surplus of the loan duties are appropriated to pay the interest of a new loan. Is the time yet come? Our taxes are exhausted. Is the time yet come? If the time is not yet come, it never can or never will.

He then moved,

That an humble address be presented to His Majesty, humbly to lay ourselves at His Majesty's feet, to assure him of our unshaken affection to his person and government, to lay before him the state of this nation, declaring our readiness

and zeal to support, in the most honourable manner, the necessary expences of his government, and the dignity of his crown; that, however, in the present session of Parliament, we have granted the supplies which were asked for the support of the present establishments, yet we should deceive His Majesty if we suffered him from thence to conceive that the expence of those establishments could meet with the continued support or entire approbation of his faithful Commons.

That the expences of His Majesty's Government have so increased in the course of twenty years that the charge of the civil list alone has nearly doubled in that period.

That one of the many causes of that increase is the rapid and astonishing growth of the pension list, now more than ever an object of universal complaint; a list which does now greatly exceed the expences of all other charges of the civil list, even in its present state, and does considerably exceed the whole civil list at Lady-day, 1757, and is nearly double the charge of the pension list at that period, when it was so extravagant, that the Commons, sensible of its weight, entered unanimously into the following resolutions, which, with many others against it, were laid before His late Majesty.

"Resolved, That the granting of so much of the public revenue in pensions is an improvident disposition of the revenue, an injury to the crown, and detrimental to the public."

That this increase in the pension list is more severely felt by His Majesty's subjects, when they consider that its present extravagance does not appear to have any foundation or excuse in the public service or private want of those who principally compose it; and His Majesty's faithful subjects have reason to believe, that in a list so greatly augmented, in favour of such persons, and in times of accumulating debt, that the real names of some of those pensioners, and the merits of more, have not been truly laid before him.

That another cause of this increase is a number of new, great, and additional salaries, in the nature of pensions, annexed to lesser offices, mostly sinecure, or of so insignificant a trust, that the frugality of former times allotted to them small salaries.

That another cause is the creation of new employments, or the annexing great salaries to old offices that became obsolete because they were useless.

That offices so created, or revived, or endowed with great additional salaries, are become a very heavy charge upon His Majesty's faithful subjects, unnecessary to his dignity, and, under a prince of less virtue, dangerous to the constitution.

That His Majesty's predecessors were graciously pleased to confine military contingencies, and concordatum to certain bounds, but that, in the last two years, during a considerable part of which time a great portion of the army was not on the establishment, the exceedings or military contingencies were greater, by far, than in the two former years, and greater than ever was known in Ireland; of which unexampled excess a very considerable part does not appear to be expended for military purposes, but is an inferior pension list, applied to the use of persons, many of whom, from their occupation, or sex, cannot be comprehended within the meaning of a military contingency.

That the charges for exceedings on concordatum, like that of military contingencies, has greatly exceeded its limit, and, in its excess and application, is a grievance.

That the original establishment was 10,000l., that the exceeding at Lady-day, 1777, was above 50,000l., an exceeding greater than ever was known before, part of which was for a secret service, an expense suspicious from its nature, and alarming from its growth.

That the exceedings on military contingencies and concordatum are the more an object of our jealousy, as we presume they are the more unbounded because they do not come under the previous inspection of His Majesty; and to this we attribute the abuses which have prevailed in both, and the application of great sums of public money to purposes which do not seem to belong to said establishments, nor to any branch of the expense of government.

That in 1773 His Majesty's faithful Commons did grant several new duties; that they were induced to such a grant by a reliance then had on the faith of His Majesty's ministers, plighted by the most solemn assurances publicly made to his Commons, that the then expenses of government should be greatly retrenched, so that the new grants of the people and the stipulated retrenchment by the ministry should unite to establish a system of equalization, and put an end to the ruinous practice of running in debt.

That His Majesty's faithful Commons have performed their part of the engagement, by raising the revenue, but that the expenses of his government, instead of being diminished, have been, beyond example, increased, in so much, that the Commons did, in this session of Parliament, come unanimously to the following resolutions:

Resolved, That the net produce of the unappropriated revenue for the two years, ending at Lady-day, 1777, as stated in the Accountant-General's paper, No. 5., including bcca-

sional payments, exceeded the produce of the said revenue for the two years ending Lady-day, 1775, in the sum of 214,297l. 5s. 11¼d.

Resolved, That the charge of the military establishment, from Lady-day, 1775, to Lady-day, 1777, was less than the charge of that establishment in the two former years, in the sum of 98,240l. 16s. 2¾d.

Resolved, That it appears from the Accountant-General's paper, No. 3., that the total amount of public charges, exclusive of appropriated funds, and deducting the charge on account of Duncannon Fort, for the two years ending Lady-day, 1777, was 1,629,073l. 5s. 2½d., and exceeded the produce of the revenue applicable thereto in the sum of 82,130l. 19s. 1d.

That it appears the highest revenue ever known in this country, even when a great proportion of the army is not on the establishment; that the bounty of his Commons has had no other effect than to encourage new and unnecessary expenses, whereby his faithful Commons are subject to a still accumulating debt, and likewise to those taxes granted for the sole purpose of putting an end to so ruinous a practice.

That as the expenses of government, when the army returns, will be considerably greater, so the revenue, upon an average calculation, will be probably less than in the two last years; that the revenues have already gone back above 100,000l. in the half year ending last September.

And, accordingly, His Majesty's ministers finding themselves unable to support the present charges of government, without increasing the debt of the nation, though aided by all the new taxes, and though a great proportion of the army was not upon the establishment, did apply for a loan of 166,000l., bringing down the arrear to the 29th of September, a method which has not been the usual resort of His Majesty's ministers, and which bespeaks their sense of the state of the nation.

That at the conclusion of the late war His Majesty was graciously pleased to order the then Chief Governor of Ireland to recommend to his faithful Commons a diminution of the then debt, and a reduction of the then expenses of government; that the funded debt was then 521,161l. 16s. 6½d.; that the funded debt, at 4 per cent., at Lady-day, 1777, was not less than 894,086l. 19s. 3d.; and the nation is likewise subject to the payment of certain life-annuities, at the rate of 6 per cent., for the sum of 440,000l.; besides 166,000l. provided for, by loan, this session of Parliament: in all, 4,440,086l. 19s. 3d., of which the greater part has been accumulated since the peace, and more particularly within these

few years last past, notwithstanding the new taxes granted to put an end to the ruinous practice of running in debt.

That the loan duties were, the last session of Parliament, increased, and, when the loan of the present session shall be resorted to, will, in all probability, be exhausted.

That the expenses, which have run out the abilities of the people, appear the more alarming, because His Majesty's faithful Commons cannot be apprized what bounds are intended to be put to them.

That, even though we could be induced to think that such expenses were the objects of support, not of retrenchment, yet an attempt to lay new duties upon import, export, or home consumption, would probably depress the old duty, and hazard or destroy the weakly remains of the trade of Ireland.

That we humbly hope His Majesty will forgive us for having delayed so long to lay before him the real state of this country, a country labouring under the severest restrictions in trade, and under a heavy weight of taxes, which are yet exceeded by her expense.

That we have waited, as far as was consistent with our duty to His Majesty, or to those whom we represent, confiding in the solemn and repeated assurances of economy from time to time received from His Majesty's ministers; that, at length, having been long harassed by a course of unnecessary expense, we can no longer refrain from laying the state of the nation at the foot of the throne; — and, without presuming to point out any particular method of redress, we do most humbly rely upon his royal virtues, and implore his protection.

The motion was supported by Mr. Denis Daly, Mr. Forbes, Mr. Brownlow, Sir Edward Newenham, Mr. Ogle, and Mr. Warren. They said, that such a motion had become absolutely necessary; that the House had granted every thing that government had asked, and that, instead of retrenchment, extravagance had been the result; no expense was reduced, administration had made many professions, but had kept none; the grants, in pensions, were shameful; the miseries of the people were increasing; the embargo had destroyed the remnant of trade that was left, and the season for redress had at length arrived. The motion was resisted by Mr. Gardiner, Sir Hercules Langrishe, Mr. Frederick Flood, Mr. James Fitzgerald, Mr. Toler, Mr. Mason, Mr. Corry, Mr. Henry Flood (Vice Treasurer), Sir Henry Cavendish, and the Prime Sergeant (Mr. Hussey Burgh). They objected to the length and complication of the address; it was ill-timed, and would be considered as ungracious in the midst of the distresses of Great Britain. The Prime Serjeant admitted the distressed situation of the country, but considered that such an address to the throne ought to be their last resource.

The House divided, Noes, 143; Ayes, 66. Majority against the motion, 77.

Tellers for the ayes, Mr. Grattan and Mr. Daly; for the noes, Mr. Gardiner and Mr. Corry.

FREE TRADE.

MR. GRATTAN'S AMENDMENT TO THE ADDRESS TO THE KING REGARDING THE FREE TRADE OF IRELAND.

October 12th, 1779.

IN the British House of Commons a committee had been appointed the preceding year, to take into consideration the acts of parliament relating to the trade of Ireland, a report was made, in which it was proposed to allow the export, from Ireland to the British plantations, of all goods, wares, and merchandizes, with the exception of wool and woollens; and also a free import to Ireland, of all merchandize from America, Africa, and the West Indies. These measures were strongly opposed by the manufacturers in England, and petitions against them were presented from the chief trading towns. The measures were supported by Lord North, and Mr. Burke; but the British House of Commons, yielding to the alarm of the manufacturers, postponed the reading of the bills, and they were ultimately abandoned, and in the House of Lords a motion of Lord Shelburne, in June, 1779, to address His Majesty on the subject of the trade of Ireland, was negatived by a majority of 61 to 32. These circumstances naturally irritated the people of Ireland; and they found little consolation in the speech of the Lord Lieutenant at the opening of the Parliament, when he stated the extraordinary decline of the revenues; that the liberal supplies of the last session had proved inadequate to the exigencies of government; that the exhausted state of the treasury had disabled them from carrying the militia law into execution, and at the same time called upon the people of Ireland to exert themselves against the united efforts and military preparations of France and America.

The following is the speech of His Excellency (the Marquis of Buckinghamshire) on the opening of the session of parliament:

"My Lords and Gentlemen,

"At a time when the trade and commerce of this kingdom are, in a more particular manner, the objects of public attention, it were to be wished, that the general tranquillity, ever desirable, had been restored, so as to have left you entirely at leisure to deliberate on those great and important subjects, but I am persuaded you will not permit any interests, however dear to you, to

impede your efforts or disturb your unanimity at this most important period; and I have it expressly in command from His Majesty to assure you, that the cares and solicitudes, inseparable from a state of hostility, have not prevented him from turning his royal mind to the interests and distresses of this kingdom with the most affectionate concern; (of which the money remitted to this country for its defence, when England had every reason to apprehend a most formidable and immediate attack, affords a convincing proof;) anxious for the happiness of his people, His Majesty will most cheerfully co-operate with his Parliaments, in such measures as may promote the common interests of all his people.

"I have the pleasure to inform you of an accession to His Majesty's family, since the last session of Parliament, by the birth of another Prince. May the same Providence that continues to increase his domestic felicity, protect the honour of his crown, and the happiness of his people.

"Gentlemen of the House of Commons,

"It is with great concern I am to inform you, that, on account of the extraordinary decline of the revenues, the very liberal supplies of the last session have proved inadequate to the exigencies of government, so that, contrary to my most sanguine expectations and most earnest endeavours, there is a considerable arrear now to be provided for.

"His Majesty, from his paternal attention to the interests of his people, and his solicitude to obviate, to the utmost, the necessity of increasing their burdens, has graciously commanded me to declare to you, that the greatest economy shall, in every instance, be exerted, as far as may be consistent with the honour of his crown, and the real interests of the nation.

"I have ordered the public accounts, and other necessary papers, to be laid before you; and I have no doubt that your known loyalty to your King, and attachment to your country, will induce you to go as far as the national abilities will admit in making a provision suitable to the exigency of the times, and the honourable support of His Majesty's government.

"My Lords and Gentlemen,

"The united efforts and great military preparations of the House of Bourbon, seemed only to have roused the courage and called forth the exertions of His Majesty's brave and loyal subjects of this kingdom. I have only to lament, that the exhausted state of the treasury has, hitherto, put it out of my power to give those exertions the most extensive and constitutional operation, by carrying the militia law into execution.

"I am persuaded you will not suffer any dangers that may be threatened from abroad to draw off your attention from wise and necessary domestic regulations; and that, among the many subjects worthy of your consideration, the Protestant charter schools and Linen manufacture will commence to be objects of your serious attention.

"In promoting these, and in all other measures that may tend to increase the prosperity, and improve the true interests of this

kingdom, I am bound to co-operate with you by a double tie, of inclination and of duty. Nothing can ever affect me with more real satisfaction, than the exerting my best endeavours for the welfare of Ireland, nor can I ever render a more acceptable service to my Sovereign, than in promoting the happiness of his people."

Sir Robert Deane moved a complimentary address to His Majesty, which was seconded by Mr. Richard Hely Hutchinson.

Mr. GRATTAN said, the speech contains nothing explicit, nothing satisfactory; it meant to quiet the minds of the people without any declaration whatever. After His Majesty had been addressed by his Irish subjects for a free export trade, did such addresses require no answer? Were the people of Ireland undeserving the notice of the British ministers? Was there no respect for the interests of these kingdoms among the servants of the crown on this side of the water? Were not these servants of the crown also representatives of the people? Why not then speak out? Are our distresses of so private a nature that they must not be mentioned? It is plain we have nothing to expect, since applications from the people, backed with the same from the officers of the crown, are not attended to. Ireland, then; has nothing to depend upon but her spirit, no redress of grievances, no extension of trade, but from the resolute and unanimous voice of the Parliament and of the people! and will it be politic, will it be safe, here or elsewhere, to oppose these efforts? Why does not our address also speak out? Why have we less spirit than the people? Shall the Commons of Ireland show less spirit than the most insignificant corporation? Are we so fallen, so despicable, as to be more afraid of England's censure, than of the cries of our starving manufacturers?

The distresses of this kingdom are two-fold; the poverty of her people, and the bankruptcy of the state. The first he would not ask the commissioners of the revenue to prove, but he would ask them upon oath, whether the restrictions on our trade were not the cause? Whether the prohibitions laid on by England, against the exports of woollen-cloths, did not occasion it? Whether there were not too many inhabitants in this kingdom, though not half peopled? Whether, if to those inhabitants the American continent was still open, would they not have emigrated thither, rather than pine in their native land the victims of English tyranny, rather than starve in it by an English act of Parliament? and, lastly, was there one rich merchant in the kingdom? this kingdom, (he continued,) ruined by a balance of trade against her for so many years and the drain of absentees, owes its present existence to

associations; it is but a temporary expedient, and something more effectual must be done. The ill-fated measures of England have plunged this country into hopeless calamities; every condescension is extended to the monopolizing spirit of insignificant towns in England, while this faithful though oppressed people can neither draw attention nor pity, but are left to pine the wretched victims of ingratitude and tyranny. As to the bankruptcies of the state, they are the consequences of a system of boundless prodigality, profligacy, and violence; a boundless prodigality, while our means were limited, a profligacy and violence uniformly maintained: one instance will suffice, where the late Attorney-General obliged the merchants of Cork to sign an illegal bond, as a collateral security to an illegal oath. The peace establishment of this poor country amounts to one-sixth of that of England; what proportion is there in our means? What is this establishment? Infamous pensions to infamous men! (here he launched into some personal allusions;) and will those men whom we pay vote against an extension of our trade? vote against the means of supporting them! To what pass have these profligate administrations reduced this kingdom! to be insulted with our poverty in the speech from the throne; to be told of our beggary; that the officers of the crown here have begged 50,000l. from England, or the troops could not have marched into camp, when it is known, that it is this profligacy that has unnerved the arm of government, and made the sword of defence fall from its hand.

Sir, the country can no longer support either the government or the civil list; the prodigality of its minister has not only destroyed the revenue here, but he has extended the mischief to England; he has called upon England for 50,000l. to supply its deficiencies, which might be made up by taking them from the absentees. In short, the kingdom is left without supplies; she is left in a situation friendless, mean, and despicable; for very want, her army cannot march; it is, therefore, evident that the people cannot support the King, nor the King the people; we must therefore look to ourselves.

I move the following amendment:

"That we beseech His Majesty to believe that it is with the utmost reluctance we presume to approach His Royal person with even the smallest appearance of dissatisfaction; but that the distress of this kingdom is such as renders it an indispensable duty in us to lay the melancholy state of it before His Majesty, and to point out what we apprehend to be the only effectual means of relief; that the constant drain of its cash to supply absentees, and the fetters on its commerce,

have always been sufficient to prevent this country from becoming opulent in its circumstances, but that those branches of trade which have hitherto enabled it to struggle with the difficulties it labours under, have now almost totally failed; that its commercial credit is sunk, all its resources are decaying rapidly, and numbers of its most industrious inhabitants in danger of perishing for want; that as long as they were able to flatter themselves that the progress of those evils might be stopped by their own efforts, they were unwilling to trouble His Majesty upon the subject of their distress; but finding that they increase upon them, notwithstanding all their endeavours, they are at last obliged to have recourse to His Majesty's benignity and justice, and most humbly to acquaint him that, in their opinion, the only effectual remedy that can be applied to the sufferings of this kingdom, that can either invigorate its credit or support its people, is to open its ports for the exportation of all its manufactures; that it is evident to every unprejudiced mind that Great Britain would derive as much benefit from this measure as Ireland itself, but that Ireland cannot subsist without it; and that it is with the utmost grief they find themselves under the necessity of again acquainting His Majesty that, unless some happy change in the state of its affairs takes place without delay, it must inevitably be reduced to remain a burden upon England, instead of increasing its resources, or affording it the assistance which its natural affection for that country, and the intimate connection between their interests, have always inclined it to offer."

Lord Westport seconded the amendment.

It produced a long and animated debate; it was supported by Mr. Daly, Mr. Yelverton, Mr. Flood, Mr. Forbes, Mr. Bushe, Mr. Conolly, Mr. Ogle, Sir Edward Newenham, Sir Henry Cavendish, and the Recorder (Sir Samuel Bradstreet). They denied that the English Parliament had a right to restrain the trade of Ireland, or had any authority or right to interfere in the affairs of the kingdom; that by the measures of ministers, the country was reduced to a state of ruin; that the Parliament of England and the King were deaf to her entreaties: they refused to listen to Ireland, while they gave a ready ear to the demand of monopoly from the towns of England; that nothing but a free trade could relieve the country. Mr. Ponsonby opposed the address, and praised the volunteer associations: the Recorder recommended the appointment of a committee to enquire into, and to state their grievances: Mr. Foster thought that the House should go into a committee on the state of the nation: Mr. Neville advised that deputies should be sent from Parliament to England: had it not been for the volunteers the country would have been invaded, and had it not been for the

associations to consume the manufactures of Ireland the lower orders would have starved: Sir Edward Newenham expatiated on the distress of the country; he extolled the volunteers, stated that their numbers were daily augmenting, and that if the grievances of the country were not redressed they would find, that the only remedy to appease the people, and regain their liberties, would be a *revolution:* the Attorney General (Scott afterwards Lord Clonmell), the Provost (Hutchinson), and Mr. Carleton, recommended unanimity. The Prime Sergeant (Mr. Hussey Burgh) and Mr. Flood, to meet the sense of the House and to obviate the objections to the amendment, proposed that it should be altered to the following: "That we beg leave, however, humbly to represent to His Majesty, that it is not by temporary expedients, but by a free trade alone, that this nation is now to be saved from impending ruin:" this was unanimously adopted, and the address, with this amendment, was agreed to.

On the succeeding day it was moved by Mr. Conolly, seconded by Mr. Ponsonby, and resolved nem. con., "That the thanks of this House be given to the different volunteer corps in this kingdom, for their spirited and (at this time) necessary exertions in its defence."

VOLUNTEER ASSOCIATIONS.

MR. KEARNEY'S MOTION TO RELIEVE THE LOWER ORDERS FROM THE HEARTH MONEY TAX.

10th November, 1779.

ON this day, Mr. Kearney made his promised motion regarding the distresses of the lower classes of the people, whom he described as being in a state of great poverty: his object was to relieve them from the pressure of the hearth money tax, which he thought operated severely on them; and with a view to procure them that relief, he moved, "That the proper officers do lay before the House an account of all the hearths in the kingdom, specifying the number in each house." The Attorney-General, (Mr. Scott, afterwards Lord Clonmell,) said it was impolitic to indulge the people with false hopes, and disappointment would only render their situation worse. Mr. Ponsonby, Mr. Brownlow, and Mr. Ogle were adverse to the motion; the country was in a critical state; the people looked to a short money bill; this was expected by them; that it would be dangerous to introduce the subject of new taxes, and the best course would be to postpone the motion.

Mr. GRATTAN said, I do not rise to oppose the humane intentions of the honourable member, but to point out the inconvenience of introducing any matter at this time, which would give government a pretext for imposing a new tax; therefore, I am desirous to know whether the honourable gentleman means to move for any new tax, to supply the place of the old. I entertain no doubt of the kind intentions of the honourable mover, and that he made this application in the humanity of his disposition; no man more sincerely laments the burden of that tax on the poor than I do, but this is not the season to agitate such questions. I have heard that a window tax has been spoken of, but I utterly disapprove of a measure (though it is merely to exchange one tax for another) taking place at a time when Parliament has declared, that nothing but a free trade could save this country from impending ruin. The declarations which yesterday fell from a member of the administration (the Attorney-General) have given an universal alarm, and his words spread like wild-fire through all ranks of men — "That new taxes to the amount of 75,000l. were to be raised at a time of universal bankruptcy." Associations are already formed throughout Ireland, by the constituents who return members to this House, not to give their votes, at a future election, to those members who shall accede to any new tax, or to a money bill longer than six months, until the desires of the people and Parliament are fulfilled, and a free trade is granted to Ireland. Therefore I hope the honourable member will suffer the subject of taxation to remain undisturbed, until the House shall know what commercial enlargements will be granted to this already undone and unfortunate kingdom; until we receive an answer to our requisition from England; and until this important end is obtained, to propose any new tax is impolitic and dangerous.

I have heard the right honourable gentleman, the Attorney General (Mr. Scott), censure a doctrine, which I conceive to be a great and fundamental part of the constitution, and a most powerful instrument of national redress; I consider a member of Parliament to be a trustee, the delegate of his constituents; their instructions he is to a certain degree as much bound to respect as the servants of the crown are the royal authority; and if the member deviates from the intentions of his constituents they are authorized to associate against him for the purpose of reprobating his proceedings. The greatest events have been produced by the wholesome interposition of the people; it has proved the great basis on which constitutional measures have depended. Where a representative is disposed to act against the public interest,

the constituents might and should agree one with another, not to return that man to parliament, and not to entrust him with their rights again. One member of this House may think this doctrine surprizing, another member may think it illegal, yet I will persist to maintain it, and if necessary I shall strive to carry it into execution; the right to instruct, and to back instructions by further association not to return the obdurate member are one and the same; both are the rights of the constitutent, to be reserved certainly for great occasions, and upon great occasions always to be exercised. I advance no doctrine but what the constitution can justify. Suppose when the petition of right was agitating, a constituent had said to his representative, Sir, this is a measure of the last consequence, I hope you will support it; suppose that member should refuse; in that case, have not I a right to declare in writing with my brother electors, that I will vote against that member upon all future occasions? Is a free trade less an object to Ireland, than the petition of right was to England? or were the people more called upon to deter individuals from selling the country in the case of violated liberty than of usurped trade? I do not understand what gentlemen mean by asserting that the elector threatens his representative; suppose great numbers in this House to be under the influence of government, would it not be expedient to counteract that dishonest influence by the strong impulse of the people, not in order to take away the liberty of acting, but to oppose the tide of corruption, by the tide of the people? I am the more convinced of the propriety of this close connection between the representative and constituent body of Ireland, when I recollect the great purpose you pursue. Is not a free trade such an object as requires all the efforts you can legally and constitutionally put forth? Are we afraid of our own people? Sir, I respect the gentry of this country, but I respect the people more. Sir, I speak with confidence, that the great object we seek cannot be obtained by the skill, the prudence, or the dexterity of 300 men, without the spirit and co-operation of 3,000,000.

This is not a time to cry down public associations, under a notion of dictating to Parliament. To what do you owe the present spirited and respectable posture of the country but to associations? The Parliament had, by its conduct, left this kingdom, last session, without an effectual friend in either House of the English Parliament; your loyal addresses, your 300,000l., the bounty and discretion of Parliament left us without a hope of relief; our cause was scouted out of both Houses in England; under our prudence, it was recalled to

their consideration by the associations, which raised you an advocate in the King, Lords, and Commons of Great Britain. These associations went farther; they caused a fortunate change in the sentiments of this House; they inspired us to ask directly for the greatest object that ever was set within the view of Ireland — a free trade; they inspired the Commons; they animated the Lords; and having both Houses unanimous in the greatest measure that ever combined a nation, having given fire to that union, they carried you, Sir, the people carried you, proudly on their crest, when you proceeded to deliver to His Excellency the great requisition. I could mention other great acquisitions obtained by the people; to the public, the constitutional public, you owe that great law the octennial bill, which was passed by the constituent body against the wishes of all the estates who assented to it. To say that associations against those who desert the public upon such occasions are contemptible is idle; the man who despises, or who proposes to despise such associations, is despicable; is it a bolder measure to associate against the commercial monopoly of England, which almost every man in this House has done, than against the person of any individual sitting in Parliament? With respect to the law I shall not enter into long arguments upon that head; I know of no law against such associations; I never heard any ground for supposing the law to be against them; I am so convinced of their legality, that, if it should become necessary, I should join one as an elector. The right honourable gentleman who says he would disallow such a vote, will please to recollect it would not be in his power to do so; for when the vote comes before him, he will be on his oath: as to the *pleasure* which his declaration of yesterday, "that gentleman meant to continue the present establishment, and to ask for new taxes, in order to fund the present debt," gave to the public, I have my doubts. What! Do the public rejoice that we are to run in debt every session half-a-million? Do the public, over whom ruin impends, unless averted by a free trade, find a gratification in knowing, that *without a free trade* those taxes are to be augmented? The servants of the crown, to whom large arrears are due, might find, perhaps, a balm in those declarations, when they were to be paid by new taxes levied on the people. As to what fell from the right honourable member, relative to the short money bill, I do prophesy that a short money bill *will* be carried. I agree with him, that it ought not to be carried by outrage, it *will* be carried by the universal sense of all ranks of men, and those who now speak against the measure will finally give it a voluntary compliance.

Sir Henry Cavendish rose immediately after Mr. Grattan, and observed with peculiar warmth, that he could not forbear opposing the attack made upon the dignity of the House; that he heard the wrath of the people threatened against such members as would refuse to obey their dictates; that he advised that House to crush a spirit of sedition which he saw had evidently gone abroad, and *now* was the time to check it; the Independents in the last century began with seeming moderation, but at last *cut off the head of their King:* factious men may creep into those volunteer companies, and get power; they may urge others to do what the latter are not aware of. I am not a freeman if I cannot vote as I choose; if I am, in short, told that if I do not vote in such a way, I shall never be re-elected, it takes away the freedom of debate; I never will submit to it.

Mr. Grattan again rose: Sir, I rise once more to take notice of some expressions which fell from the right honourable the Attorney-General, and the right honourable baronet. I have been told to check the expression of popular sentiment, and to aid the government; I desire to know what they mean; do they mean that the independent companies should be disarmed? Do they mean that the volunteers should be disembodied? Do they mean that the civil associations should come under the censure of Parliament? Will they presume to assert that there are any men of the independent companies *dangerous* to the safety of the crown? that there is any man now in arms with whom the safety of His Majesty's crown and dignity may not be with as much propriety confided as with the right honourable baronet himself? Let me tell that right honourable gentleman there is something *particular* in his situation; he is in right of his father a public debtor; a public debtor and a public object should not adopt so offensive a mode of expression, or convey such a *hasty* idea, and state that the money laid out for the improvement of the kingdom was the sole cause of the national debt; he stands upon *very* delicate ground, and yet he puts himself forward upon all unpopular occasions, though he owes so much to the charitable forbearance of the public.

Mr. Kearney withdrew his motion.

NEW TAXES.

MR. GRATTAN MOVES THAT IT WOULD BE INEXPEDIENT TO GRANT NEW TAXES.

24th November, 1799.

ON the 23d, the Secretary (Sir Richard Heron) proposed in the committee of supply certain additional taxes, part of which were to pay off the arrear of the civil establishment. This measure was strongly opposed by the popular party in the House: Mr. Bushe, Mr. Brownlow, Mr. Yelverton, Mr. Daly, Mr. Parnell, and the Prime Sergeant (Mr. Burgh), who stated that the House would contradict the address for a free trade, if they now declared that they were able to supply new taxes; the revenue had decreased in consequence of the non-importation agreement, and yet the minister proposed a new tax upon imports; the impoverished state of the country must render this measure ineffectual. The only productive tax could be a tax upon absentees. As to a tax upon land, the landed property amounted to three millions, of which they paid one already, and the remainder they could not afford to tax; it would be deceiving England if they were to vote new taxes, when they were not able to pay the old; the best course would be not to grant new taxes till the minister announced a free trade. The debate was adjourned; and on the ensuing day,

Mr. GRATTAN made the motion of which he had given previous intimation: the only fragment that remains of his speech is as follows: He took a review of the statement of the revenue, made by the Secretary (Sir Richard Heron); he said, that he could not reconcile to himself the doctrine of anticipating a debt, and providing, in a six-months' money-bill for an arrear of two years; we were to alleviate the burdens this country laboured under; and, as a most effectual step towards that object, the Secretary had proposed to raise 600,000l. in a new way, though the old one, which we viewed in so hard a light, did not come to more than 500,000l. We have refused His Majesty 500,000l. in two years, and we are now modestly asked 600,000l. in a limited money-bill, with the addition of an unlimited loan. Our constituents look for other measures; and it is dangerous, at this time, to exasperate the people. The worst uses might be made of this money; if granted, it might be applied to the demolition of our schemes of commerce, or it might be applied to frustrate our hopes of a constitution; this was making us go on from year to year appropriating grants, and accumulating debts;

the proposal is a fraud upon the public, and should therefore be rejected. I cannot but express my astonishment at the proposal of the Secretary to carry down half-a-million of arrears in the time of distress, which was a measure never attempted to be introduced in the time of prosperity; by this means, more was secured for prompt payment than was sufficient to render government independent of Parliament. His plan of new taxes was such as must raise not only the indignation of the House but of the public. The administration seem almost ashamed to adopt the measure. I am satisfied, that if the arrear was paid, we should be abandoned to the same misfortunes which at present oppress us. I can form no idea how a minister could be so extravagant as to demand a loan, and raise new taxes, when the country is almost reduced to ruin. He concluded by moving the following resolution: "That at this time it would be inexpedient to grant new taxes."

This was opposed by Sir Richard Heron, Sir Henry Cavendish, Mr. Mason, the Attorney-General, and Sergeant Carleton; they stated, that the services of the country could not be carried on without new taxes; that the resolution would destroy the measures of the government, and perplex the affairs of the nation. It was supported by Mr. Yelverton, Mr. Foster, Mr. Daly, Mr. Brownlow, Mr. Ogle, Mr. Conolly, Mr. Ponsonby, Mr. Forbes, and Mr. Flood; they declared that no confidence could be placed in ministers; the plans pursued by Great Britain, with regard to Ireland, had reduced her to the lowest state, and the conduct that lost America had almost ruined Ireland; it was therefore better to adhere to the sentiment expressed on the last night's debate by the Prime Sergeant (Mr. H. Burgh), to grant taxes when the minister rises to proclaim free trade.

On a division, the numbers were: Ayes, 170; Noes, 47. Majority, 123.

Tellers for the ayes, Lord Westport and Mr. Grattan. For the noes, Sir J. Brown and Mr. Waller.

List of Members who voted against Mr. Grattan's motion, "That at this time it would be inexpedient to grant new Taxes."

Adderley, Thomas
Annesley, Hon. Richard, Lord Tyrone, placeman
Baily James, Lord Hillsborough, placeman
Beresford, Rt. Hon. John, Commissioner
Birch, Robert, Surveyor of Custom-house Quay
Bourke, Hon. John, Surveyor of Stamps
Browne, Sir John Bart., placeman
Cane, Hugh
Carleton, Hugh, Solicitor-General
Caulfield, William, placeman
Cavendish, Rt. Hon. Sir Henry, Bart., owes government 42,000l.
Clements, Theophilus, Deputy Vice-Treasurer

Coppinger, Maurice, Counsellor to Commissioners of Revenue
Dean, Sir Robert Tilson
Evans, William
Faulkner, Sir Riggs
Fitzgerald, Robert, placeman
Hamilton, John, Secretary at War
Heron, Sir Richard, Bart., Secretary
Jackson, Rt. Hon. Richard
Jephson, Denham
Jephson, Robert, Master of Horse
Jones, Rt. Hon. Theo., Collector, Port of Dublin
Langrishe, Sir Hercules, Bart., Commissioner
Loftus, Henry
Loftus, Arthur
Lloyd, Thomas, jun.
Longfield, Mounteford
Lysaght, Nicholas
Mason, John Monk, Commissioner
May, Sir James, Bart., Collector of Waterford
Meredith, Henry, Secretary to Ordnance
Palmer, Sir Robert, Paymaster of Corn Premiums
Pigott, Thomas, Chief Engineer
Richards, Fitzherbert
Roche, Sir Boyle, Knight, Master of Ceremonies
Scott, Rt. Hon. John, Attorney-General
Sheridan, R. T.
Somerville, James
St. Leger, Hon. Richard, Aid-du-Camp
Tighe, Edward, Private Secretary
Tottenham, Nicholas Loftus
Tottenham, Charles
Tottenham, Chichester
Tottenham, C.
Townsend, Richard, Commissioner
Uniacke, James
Waller, Robert, Commissioner
Wood, Attiwell

SHORT MONEY BILL.

MR. TRENCH'S MOTION TO GRANT THE LOAN DUTIES ONLY FOR SIX MONTHS.

25th November, 1779.

ON this day, the House resolved itself into a committee of supply, Mr. J. Foster in the chair, and a most important debate took place. The Attorney-General (Mr. Scott) opened the budget; he stated that it would be idle in him to propose money bills for two years when he knew the House would only grant them for six

months; he intended, therefore, to confine his propositions to three parts, the ordinary supply, the loan duties, and the parliamentary grants, and accordingly he moved his first resolution, That a sum not exceeding 1,067,565l. was the debt of the nation at Lady-day, 1779; this was agreed to nem. con. Secondly, That this nation is liable to annuities and interests of a principal debt of 400,000l. besides a tontine of 300,000l.; this was agreed to nem. con. Thirdly, That the duties appropriated for the payments of the above annuities and interests, called the loan duties, be granted to His Majesty from the 25th of December, 1779, to the 24th of December, 1781. He observed that this grant could not be considered a money bill to the crown, being only a grant from Parliament to its creditors to pay the interest of the money borrowed.

Mr. Trench said this must be considered a money bill, and accordingly moved as an amendment to the resolution, to insert, instead of the 25th of December, 1779, to the 24th of December, 1781, the words "from the 25th of December, 1779, to the 24th of June, 1780." This was opposed by Sir Richard Heron, Sir Hercules Langrishe, Mr. James Fitzgerald, Mr. Conolly, Mr. Browne, and Mr. Luke Gardiner. They contended that this was not a question between the King and the Parliament, or between Ireland and England, but between Parliament and the public creditor; that it was a breach of faith, and would not only impede the affairs of the nation, but excite alarm among the landholders and those who lent money to assist the exigencies of the country.

Mr. GRATTAN supported the amendment. It is singular how tender, how careful administration are, respecting the monied interests of individuals, and yet they do not fear to risk the ruin of the nation.

Gentlemen have used the name of Lord Buckinghamshire, alleging, that if the question was carried against the government, it would be an insult to administration; but, doubtless, the Viceroy must wish for the welfare of the country, and rejoice at finding the means to serve her; no other way is now left except to refuse the supply to the minister. It has been argued that this proceeding is unusual. It is, however, necessary, and though unusual, it is not more so than many events that have lately taken place. It was unusual to see a majority of 123 against government; it was unusual to behold voluntary associations; it was unusual to see independent volunteers armed in defence of their liberties and their country; it was unusual for a minister to resist the entreaties of 3,000,000 of people who have given him their last shilling for protection, which he has withheld, leaving the country defenceless and unarmed; it was unusual to behold a kingdom brought to the very verge of national bankruptcy, and a people in want of the common necessaries of subsistence.

A right honourable member (Mr. Conolly) has alluded to some expressions of mine, regarding the voice of the people. I beg to say that this voice out of doors, this opinion of the people, has often served, and sometimes saved, the British constitution; it was this opinion, thus expressed, that carried the petition of right, and abolished ship-money; it was this opinion that has made the Irish Commons what they now are; it was this opinion that carried the octennial bill, before which event, we were an object of ridicule and of contempt. The situation of your affairs is awful; they have now come to a crisis; they demand your utmost attention; and this motion will receive the earnest support of every man who has a concern for the welfare of his country.

This speech, of which there remains so faint an outline, was strongly enforced by the arguments of Mr. Yelverton, Mr. Forbes, Mr. Ogle, Mr. Bushe, Mr. Brownlow, Mr. Burgh, Mr. Ponsonby, Mr. La Touche, and the Prime Sergeant (Mr. Hussey Burgh).

They stated, that there were a number of precedents for this measure; a remarkable one was the case of tonnage and poundage, which the Commons of England, when struggling for the liberties of their country, granted only for two months. The British ministers had lost one empire by their ignorance and weakness, and had here almost lost another; nothing could now save Ireland to England but vigorous and popular measures, and, therefore, a short money bill would tend to make the people more resolute, and at length induce them to *insist* upon a free trade; — a train of bad measures, the extravagance of ministers, their grants of pensions and places, together with the embargo, had reduced the country to a state of bankruptcy. The Prime Sergeant who, in the debate on the new taxes, had taken a decisive part against government, and had said, that the watchword of the House should be, to grant taxes when the minister rose to proclaim a free trade, took, on this debate, a line equally patriotic and disinterested. "You have but two nights ago declared against new taxes, by a majority of 123, and have left the ministers supported only by 47 votes; if you now go back and accede to the proposed grant for two years, your compliance will add insult to the injuries already done to your ill-fated country; you strike a dagger in your own bosom, and destroy the fair prospect of commercial hope, because if the minister can, in the course of two days, render void the animated spirit and patriotic stability of this House, and procure a majority, the British minister will treat our applications for free trade with contempt. When the interests of the government and the people are contrary, they secretly operate against each other; such a state is but smothered war. I shall be a friend alike to the minister and the people, according as I find their desires guided by justice; but at such a crisis as this the people must be kept in good temper, even to the indulgence of their caprices.

"The usurped authority of a foreign parliament has kept up the most wicked laws that a jealous, monopolizing, ungrateful spirit could devise, to restrain the bounty of Providence, and enslave a nation, whose inhabitants are recorded to be a brave, loyal, and generous people; by the English code of laws, to answer the most sordid views, they have been treated with a savage cruelty; the words penalty, punishment, and Ireland, are synonymous, they are marked in blood on the margin of their statutes; and, though time may have softened the calamities of the nation, the baneful and destructive influence of those laws have borne her down to a state of Egyptian bondage. The English have sowed their laws like serpents' teeth, and they have sprung up in armed men."

The effect produced by this striking sentence, and the manner in which it was delivered, was like an electric shock: the House broke out into a burst of applause, which communicated to the galleries, and was re-echoed for a considerable time: Mr. Waller and Sir Henry Cavendish reprobated this clamour, and demanded that the galleries should be cleared; Mr. Foster appealed to the Attorney-General; the Attorney-General said, that it would be severe were they to reprove that expression of applause, which was an emanation of joy inspiring a people possibly much distressed, and they could not blame them for the feelings of nature. At length the House divided;—for the amendment, 138; against it, 100. Majority for the amendment, 38. Teller for the ayes, Mr. Trench; for the noes, Mr. Monck Mason.

List of Members who voted for a Six Months' Money-Bill.

Agar, George
Alexander, Robert
Alexander, James
Allen, Hon. Richard
Archdall, Mervyn
Aylmer, Sir Fitzgerald, Bart.
Bateman, Rowland*
Bagenal, Beauchamp
Beamish, Francis Bernard
Bernard, Francis
Blakeney, John, jun.
Blackwood, Sir John, Bart.
Blackwood, Robert
Blackwood, Robert
Blennerhasset, Arthur
Blosse, Sir H. Lynch, Bart.
Bradstreet, Sir Samuel, Bart.
Brooke, Henry
Brooke, Rt. Hon. Sir A., Bart.
Brownlow, Rt. Hon. W.
Burgh, Thomas, Old Town
Burgh, Rt. Hon. Walter Hussey
Burton, William
Bushe, Gervase Parker
Butler, Hon. Pierce
Butler, H. Edmund
Carey, Rt. Hon. Edward
Caldwell, Andrew
Christmas, William
Clements, Robert
Clements, John
Clements, Robert
Clement, Doctor William
Colclough, Sir Vesey, Bart.
Conyngham, William
Coote, G. Moore
Cope, Henry
Corry, Isaac
Cox, Richard
Crookshank, Alexander
Crofton, Edward
Creighton, Hon. Alexander
Daly, Anthony
Daly, Denis
Dawson, Arthur
Dawson, Thomas
Deane, Joseph
Digby, Simon
Dillon, Robert
Dobbs, Conway
Dunbar, Charles
English, William Alexander
Fetherstone, Sir Ralph
Finlay, John

Fitzgerald, Edward
Fitzgibbon, John
Flood, Henry
Flood, John
Forde, Robert
Fortescue, Rt. Hon. James
Fortick, William
Forbes, John
Foster, John
Grattan, Henry
Hamilton, George
Handcock, John
Harman, Lawrence
Harstonge, Sir Henry, Bart.
Hoare, Joseph
Hunt, Edward
Hutcheson, John H., jun.
Hutchinson, R. H.
Hutchinson, Rt. Hon. J. H.
Johnston, Sir Richard, Bart.
Karr, Andrew
Kearney, James
Keating, Michael
King, Charles
Knox, Thomas, jun.
Lambert, Charles
Lawless, Sir Nicholas, Bart.
Latouche, David
Leigh, Robert
Longfield, Richard
Lowther, Gorges
Lloyd, Thomas, jun.
Massey, Hon. Hugh
Martin, Richard
M'Namara, Francis
Metge, Peter
Molyneaux, Rt. H. Sir Capel
Monsell, William Thomas
More, Thomas
Morris, Lodge
Montgomery, A. Monaghan
Montgomery, George
Montgomery, A. Donegal
Mossom, Eland
Newenham, Sir Edward
O'Brien, Sir Lucius, Bart.
O'Callaghan, Cornelius
Ogle, William Meade
Ogle, George
Osborne, Sir William
Parnell, John
Parsons, Sir William
Pennefeather, Richard
Pomeroy, Arthur
Pomeroy, Henry
Ponsonby, Rt. Hon. John
Ponsonby, John C.
Preston, John
Prittie, Henry
Prendergast, John
Putland, George
Rowley, Clotworthy
Rowley, H. Langford
Ross, Robert
Sandford, Robert
Singleton, Sydenham
Skeffington, Hon. W. G.
Skeffington, Hon. Chichester
Skeffington, H. Henry
Smyth, Thomas
St. George, Sir Richard, Bart.
Stewart, Robert
Stewart, Sir Annesley, Bart.
Stuart, H. James
Stratford, H. James
Tenison, Thomas
Tighe, Robert
Tonson, William
Trench, W. P. K.
Tydd, John
Vesey, R. H., Agmondisham
Ward, Hon. Edward
Westport, Lord
Wilson, James
Yelverton, Barry

List of Members who voted against a Six-Months' Money Bill.

Adderley, Thomas, Treasurer to the Barrack Board
Annesley, Hon. Richard, Commissioner of Bankrupts
Bailie, James
Beresford, Rt. Hon. John, Taster of Wines, and Commissioner
Birch, Robert, Surveyor of the Custom-House Quay
Blakeny, Thomas, Surveyor-General
Blakeny, John, sen.
Browne, Hon. John, Collector of Oxford and Newport
Browne, Hon. James
Browne, Sir John, Bart.
Bourke, Hon. John
Burton, Rt. Hon. William, Teller of the Exchequer
Cane, Hugh
Carleton, Hugh, Solicitor-General
Caulfield, William, Collector of Donaghadee
Cavendish, Rt. Hon. Sir H.
Cavendish, James, Commissioner of Barracks
Chapman, William, Clerk of the

Crown and Peace for the Province of Conaught
Chapman, Benjamin
Cobbe, Thomas
Clements, William Henry T.
Colville, William
Coghlan, Thomas, a pensioner
Connolly, Rt.Hon. Thomas, brother-in-law to the Lord-Lieutenant
Copinger, Maurice, 2d Sergeant, and Collector to Commissioners
Cromie, Sir Michael, Bart.
Crosbie, Lord
Cuffe, James, Superintendant-General of Barracks
Daly, Denis Bowes
Deane, Jocelyn
Deane, Rt. Hon. Sir Rob:, Bart.
Evans, William
Faulkner, Sir R., Bart.
Fitzgerald, Robert, Judge of the Admiralty-Court
Fitzgerald, James, Sergeant at Law
Flood, Warden, Judge of the Admiralty
Foster, John Thomas
Flood, Frederick
Gamble, Robert, Collector of Killybeggs
Gardiner, Luke
Greene, Godfrey
Hamilton, John Steuart,
Handcock, William, Commissioner of Barracks
Heron, Rt. Hon. R., Secretary to the Lord Lieutenant
Hill, Sir Hugh, Bart., Collector of Derry
Holmes, Peter, Comptroller of Stamp Duties
Howard, Robert
Howard, Hugh
Jackson, Rt. Hon. Richard, Deputy Secretary
Jephson, Robert, Master of the Horse
Jephson, Denham, sen.
Jephson, Denham, jun.
Johnson, William
Jones, Rt. Hon. Theo., Collector of Dublin
Knox, John
Langrishe, Sir H.
Leigh, John
Loftus, Henry
Loftus, Arthur
Lloyd, Thomas
Lloyd, Henry
Lysaght, Nicholas
Mason, John Monk
Mathew, Francis
Maunsell, Thomas
May, Sir James, Bart., Collector of Waterford
Meredyth, Henry, Secretary to the Board of Ordnance
Montgomery, William, Rosemount
Montgomery, Sir William, Bart., Army Agent
Moore, John
Murray, Alexander
Nesbitt, Thomas, on the pension-list
Palmer, Sir Roger, Bart., Paymaster of Corn Premiums
Rawson, George
Reilly, John
Richards, Fitzherbert, Commissioner of Barracks
Roche, Sir Boyle, Master of the Ceremonies
Scott, Rt. Hon. John, Attorney-General
St. Leger, Hon. J. H.
St. Leger, Hon. Richard
St. Leger, Thomas, Commissioner of Barracks
Smith, Sir Skeffington, Bart., pensioner
Sheridan, Charles Francis
Somerville, James
Southwell, Hon. R. H., Aid-du-camp
Staples, John
Stopford, Hon. Colonel
Swan, Edward Bellingham
Tighe, Edward, private secretary
Toler, John
Tottenham, Nicholas Loftus
Tottenham, Charles (of Ross)
Tottenham, Charles (of Tottenham Green)
Tottenham, Charles (of Ballycorry)
Townsend, Richard, a Commissioner
Tunnadine, John, Master in Chancery
Uniacke, James
Warren, Thomas
Waller, Robert, Commissioner
Wood, Attiwell

DECLARATION OF RIGHT.

MR. GRATTAN MOVES THE DECLARATION OF IRISH RIGHTS.

19th April, 1780.

ON this day, came on the most important subject that ever had been discussed in the Irish Parliament: the question of independence, the recovery of that legislative power which, for centuries, Ireland had been so unjustly deprived of.

Her right to make laws for herself was first affected by the act of the 10th of Henry the Seventh, in a parliament, held at Drogheda, before the then Deputy, Sir Edward Poynings. It was there enacted, that no parliament should be holden in Ireland, until the Lord Lieutenant and Privy Council should certify to the King, under the great seal of Ireland, the causes, considerations, and acts that were to pass; that the same should be affirmed by the King and council in England, and his license to summon a parliament be obtained under the great seal of England. This was further explained by the 3d and 4th of Philip and Mary, whereby any change or alteration, in the form or tenor of such acts to be passed after they were returned from England, was prohibited. Thus, by these laws, the English privy council got the power to alter or suppress, and the Irish parliament were deprived of the power to originate, alter, or amend.

By these acts, were the legislative rights of Ireland invaded; her judicial rights, however, remained untouched, till, in 1698, a petition and appeal was lodged with the House of Lords, of England, from the English society of the new plantation of Ulster, complaining of the Irish House of Lords, who had decided in a case between them and the Bishop of Derry. Upon this the English House of Lords passed an order declaring, that this appeal was *coram non judice;* to this order, fourteen reasons and answers were written by the celebrated Molyneaux, and the appeal gave rise to his famous work, entitled "The Case of Ireland," which excited the hostility of the English House of Commons, and was burned by the hands of the common hangman!! The Irish House of Lords then asserted their rights, passed resolutions, and protested against the English proceedings; thus matters remained until 1703, when came on the case of the Earl and Countess of Meath against the Lord Ward, who were dispossessed of their lands by a pretended order of the House of Lords in England, on which the Irish House of Peers adopted the former resolutions, asserting their rights, and restored possession to the Earl and Countess. In 1703, the appeal of Maurice Annesley was entertained in England, and the decree of the Irish House of Lords was reversed; and the English House of Lords had recourse to

the authority of the Barons of the Exchequer in Ireland to enforce their order; the Sheriff refused obedience; the Irish House of Lords protected the Sheriff, and agreed to a representation to the King on the subject. This produced the arbitrary act of the 6th of George the First, which declared, that Ireland was a subordinate and dependent kingdom; that the King, Lords, and Commons of England had power to make laws to bind Ireland; that the House of Lords of Ireland had no jurisdiction, and that all proceedings before that Court were void. Under this act, and to such injustice, the Irish nation were compelled to submit, until the spirit of the present day arose, and that commanding power which the armed volunteers gave to the country, encouraged the people to rise unanimously against this usurped and tyrannical authority. The efforts of the nation to obtain a free trade; the compliance of the British Parliament with that claim; the British act passed in consequence thereof, which allowed the trade between Ireland and the British colonies and plantations in America and the West Indies, and the British settlements on the coast of Africa; had raised the hopes of the Irish people. The resolutions and proceedings of the volunteers, and the answers to their addresses by the patriotic members, had still further roused the people to a sense of their rights and their condition, and the hour was approaching which was to witness the restoration of their liberty. Mr. Grattan had, on a preceding day, given notice that he would bring forward a measure regarding the rights of Ireland; and in pursuance of that notice he rose and spoke as follows:

Sir, I have entreated an attendance on this day, that you might, in the most public manner, deny the claim of the British Parliament to make law for Ireland, and with one voice lift up your hands against it.

If I had lived when the 9th of William took away the woollen manufacture, or when the 6th of George the First declared this country to be dependent, and subject to laws to be enacted by the Parliament of England, I should have made a covenant with my own conscience to seize the first moment of rescuing my country from the ignominy of such acts of power; or, if I had a son, I should have administered to him an oath that he would consider himself as a person separate and set apart for the discharge of so important a duty; upon the same principle am I now come to move a declaration of right, the first moment occurring, since my time, in which such a declaration could be made, with any chance of success, and without aggravation of oppression.

Sir, it must appear to every person, that, notwithstanding the import of sugar and export of woollens, the people of this country are not satisfied — something remains; the greater work is behind; the public heart is not well at ease; — to promulgate our satisfaction; to stop the throats of millions with

the votes of Parliament; to preach homilies to the volunteers; to utter invectives against the people, under pretence of affectionate advice, is an attempt, weak, suspicious, and inflammatory.

You cannot dictate to those whose sense you are entrusted to represent; your ancestors, who sat within these walls, lost to Ireland trade and liberty; you, by the assistance of the people, have recovered trade, you still owe the kingdom liberty; she calls upon you to restore it.

The ground of public discontent seems to be, "we have gotten commerce, but not freedom:" the same power which took away the export of woollens and the export of glass may take them away again; the repeal is partial, and the ground of repeal is upon a principle of expediency.

Sir, expedient is a word of appropriated and tyrannical import; expedient is an ill-omened word, selected to express the reservation of authority, while the exercise is mitigated; expedient is the ill-omened expression of the repeal of the American stamp-act. England thought it expedient to repeal that law; happy had it been for mankind, if, when she withdrew the exercise, she had not reserved the right! to that reservation she owes the loss of her American empire, at the expense of millions, and America the seeking of liberty through a sea of bloodshed; the repeal of the woollen act, similarly circumstanced, pointed against the principle of our liberty, present relaxation, but tyranny in reserve, may be a subject for illumination to a populace, or a pretence for apostacy to a courtier, but cannot be the subject of settled satisfaction to a free-born, an intelligent, and an injured community. It is therefore they consider the free trade as a trade *de facto*, not *de jure*, a license to trade under the Parliament of England, not a free trade under the charters of Ireland, as a tribute to her strength; to maintain which, she must continue in a state of armed preparation, dreading the approach of a general peace, and attributing all she holds dear to the calamitous condition of the British interest in every quarter of the globe. This dissatisfaction, founded upon a consideration of the liberty we have lost, is increased when they consider the opportunity they are losing; for if this nation, after the death-wound given to her freedom, had fallen on her knees in anguish, and besought the Almighty to frame an occasion in which a weak and injured people might recover their rights, prayer could not have asked, nor God have furnished, a moment more opportune for the restoration of liberty, than this, in which I have the honour to address you.

England now smarts under the lesson of the American war; the doctrine of Imperial legislature she feels to be pernicious; the revenues and monopolies annexed to it she has found to be untenable; she lost the power to enforce it; her enemies are a host, pouring upon her from all quarters of the earth; her armies are dispersed; the sea is not hers; she has no minister, no ally, no admiral, none in whom she long confides, and no general whom she has not disgraced; the balance of her fate is in the hands of Ireland; you are not only her last connection, you are the only nation in Europe that is not her enemy. Besides, there does, of late, a certain damp and spurious supineness overcast her arms and councils, miraculous as that vigour which has lately inspirited yours; — for with you every thing is the reverse; never was there a parliament in Ireland so possessed of the confidence of the people; you are the greatest political assembly now sitting in the world; you are at the head of an immense army; nor do we only possess an unconquerable force, but a certain unquenchable public fire, which has touched all ranks of men like a visitation.

Turn to the growth and spring of your country and behold and admire it; where do you find a nation who, upon whatever concerns the rights of mankind, expresses herself with more truth or force, perspicuity or justice? not the set phrase of scholastic men, not the tame unreality of court addresses, not the vulgar raving of a rabble, but the genuine speech of liberty, and the unsophisticated oratory of a free nation.

See her military ardour, expressed not only in 40,000 men, conducted by instinct as they were raised by inspiration, but manifested in the zeal and promptitude of every young member of the growing community. Let corruption tremble; let the enemy, foreign or domestic, tremble; but let the friends of liberty rejoice at these means of safety and this hour of redemption. Yes; there does exist an enlightened sense of rights, a young appetite for freedom, a solid strength, and a rapid fire, which not only put a declaration of right within your power, but put it out of your power to decline one. Eighteen counties are at your bar; they stand there with the compact of Henry, with the charter of John, and with all the passions of the people. "Our lives are at your service, but our liberties, we received them from God; we will not resign them to man." Speaking to you thus, if you repulse these petitioners, you abdicate the privileges of Parliament, forfeit the rights of the kingdom, repudiate the instruction of your constituents, bilge the sense of your country, palsy the enthusiasm of the

people, and reject that good which not a minister, not a Lord North, not a Lord Buckinghamshire, not a Lord Hillsborough, but a certain providential conjuncture, or, rather, the hand of God, seems to extend to you: nor are we only prompted to this when we consider our strength, we are challenged to it, when we look to Great Britain. The people of that country are now waiting to hear the Parliament of Ireland speak on the subject of their liberty: it begins to be made a question in England whether the principal persons wish to be free: it was the delicacy of former parliaments to be silent on the subject of commercial restrictions, lest they should show a knowledge of the fact, and not a sense of the violation; you have spoken out, you have shown a knowledge of the fact, and not a sense of the violation. On the contrary, you have returned thanks for a partial repeal made on a principle of power; you have returned thanks as for a favour, and your exultation has brought your charters as well as your spirit into question, and tends to shake to her foundation your title to liberty; thus you do not leave your rights where you found them. You have done too much not to do more; you have gone too far not to go on; you have brought yourselves into that situation, in which you must silently abdicate the rights of your country or publicly restore them. It is very true you may feed your manufacturers, and landed gentlemen may get their rents, and you may export woollen, and may load a vessel with baize, serges, and kerseys, and you may bring back again directly from the plantations, sugar, indigo, speckle-wood, beetle-root, and panellas. But liberty, the foundation of trade, the charters of the land, the independency of Parliament, the securing, crowning, and the consummation of every thing, are yet to come. Without them the work is imperfect, the foundation is wanting, the capital is wanting, trade is not free, Ireland is a colony without the benefit of a charter, and you are a provincial synod without the privileges of a parliament.

I read Lord North's proposition; I wish to be satisfied, but I am controlled by a paper, I will not call it a law; it is the sixth of George the First. (The paper was read.) I will ask the gentlemen of the long robe is this the law? I ask them whether it is not practice? I appeal to the judges of the land whether they are not in a course of declaring that the Parliament of Great Britain, naming Ireland, binds her? I appeal to the magistrates of justice whether they do not, from time to time, execute certain acts of the British Parliament? I appeal to the officers of the army whether they do not fine, confine, and execute their fellow-subjects by virtue of the

Mutiny Act, an act of the British Parliament; and I appeal to this House whether a country so circumstanced is free? where is the freedom of trade? where is the security of property? where is the liberty of the people? I here, in this Declamatory Act, see my country proclaimed a slave! I see every man in this House enrolled a slave! I see the judges of the realm, the oracles of the law, borne down by an unauthorized foreign power, by the authority of the British Parliament against the law! I see the magistrates prostrate, and I see Parliament witness of these infringements, and silent, (silent or employed to preach moderation to the people, whose liberties it will not restore)! I therefore say, with the voice of 3,000,000 of people, that, notwithstanding the import of sugar, beetle-wood, and panellas, and the export of woollens and kerseys, nothing is safe, satisfactory, or honourable, nothing except a declaration of right. What! are you, with 3,000,000 of men at your back, with charters in one hand and arms in the other, afraid to say you are a free people? Are you, the greatest House of Commons that ever sat in Ireland, that want but this one act to equal that English House of Commons that passed the Petition of Right, or that other that passed the Declaration of Right, are you afraid to tell that British Parliament you are a free people? Are the cities and the instructing counties, who have breathed a spirit that would have done honour to old Rome when Rome did honour to mankind, are they to be free by connivance? Are the military associations, those bodies whose origin, progress, and deportment have transcended, equalled at least, any thing in modern or ancient story; is the vast line of northern army, are they to be free by connivance? What man will settle among you? Where is the use of the Naturalization Bill? What man will settle among you? who will leave a land of liberty and a settled government for a kingdom controlled by the Parliament of another country, whose liberty is a thing by stealth, whose trade a thing by permission, whose judges deny her charters, whose Parliament leaves every thing at random; where the chance of freedom depends upon the hope, that the jury shall despise the judge stating a British act, or a rabble stop the magistrate executing it, rescue your abdicated privileges, and save the constitution by trampling on the government, by anarchy and confusion.

But I shall be told, that these are groundless jealousies, and that the principal cities, and more than one half of the counties of the kingdom, are misguided men, raising those groundless jealousies. Sir, let me become, on this occasion, the people's advocate, and your historian: the people of this

country were possessed of a code of liberty, similar to that of Great Britain, but lost it through the weakness of the kingdom, and the pusillanimity of its leaders; — having lost our liberty by the usurpation of the British Parliament, no wonder we became a prey to her ministers,; and they did plunder us with all the hands of all the harpies, for a series of years, in every shape of power, terrifying our people with the thunder of Great Britain, and bribing our leaders with the rapine of Ireland. The kingdom became a plantation, her Parliament, deprived of its privileges, fell into contempt; and, with the legislature, the law, the spirit of liberty, with her forms, vanished. If a war broke out, as in 1778, and an occasion occurred, to restore liberty and restrain rapine, Parliament declined the opportunity; but, with an active servility and trembling loyalty, gave and granted, without regard to the treasure we had left, or the rights we had lost. If a partial reparation was made upon a principle of expediency, Parliament did not receive it with the tranquil dignity of an august assembly, but with the alacrity of slaves.

The principal individuals, possessed of great property but no independency, corrupted by their extravagance, or enslaved by their following a species of English factor against an Irish people, more afraid of the people of Ireland than the tyranny of England, proceeded to that excess, that they opposed every proposition to lessen profusion, extend trade, or promote liberty; they did more, they supported a measure which, at one blow, put an end to all trade; they did more, they brought you to a condition which they themselves did unanimously acknowledge a state of impending ruin; they did this, talking as they are now talking, arguing against trade as they now argue against liberty, threatening the people of Ireland with the power of the British nation, and imploring them to rest satisfied with the ruins of their trade, as they now implore them to remain satisfied with the wreck of their constitution.

The people thus admonished, starving in a land of plenty, the victim of two Parliaments, of one that stopped their trade, the other that fed on their constitution, inhabiting a country where industry was forbid, or towns swarming with begging manufacturers, and being obliged to take into their own hands that part of government which consists in protecting the subject, had recourse to two measures, which, in their origin, progress, and consequence, are the most extraordinary to be found in any age, or in any country, viz. a commercial and a military association; the consequence of these measures was instant, the enemy that hung on your shores departed, the

Parliament asked for a free trade, and the British nation granted the trade but withheld the freedom; — the people of Ireland are, therefore, not satisfied; they ask for a constitution; they have the authority of the wisest men in this House for what they now demand. What have these walls, for this last century, resounded? The usurpation of the British Parliament, and the interference of the privy council. Have we taught the people to complain, and do we now condemn their insatiability, because they desire us to remove such grievances, at a time in which nothing can oppose them, except the very men by whom these grievances were acknowleged?

Sir, we may hope to dazzle with illumination, and we may sicken with addresses, but the public imagination will never rest, nor will her heart be well at ease: never! so long as the Parliament of England exercises or claims a legislation over this country: so long as this shall be the case, that very free trade, otherwise a perpetual attachment, will be the cause of new discontent; it will create a pride to feel the indignity of bondage; it will furnish a strength to bite your chain, and the liberty withheld will poison the good communicated.

The British minister mistakes the Irish character; had he intended to make Ireland a slave, he should have kept her a beggar; there is no middle policy: win her heart by the restoration of her right, or cut off the nation's right hand; greatly emancipate, or fundamentally destroy. We may talk plausibly to England, but so long as she exercises a power to bind this country, so long are the nations in a state of war; the claims of the one go against the liberty of the other, and the sentiments of the latter go to oppose those claims to the last drop of her blood. The English opposition, therefore, are right; mere trade will not satisfy Ireland: — they judge of us by other great nations, by the nation whose political life has been a struggle for liberty; they judge of us with a true knowledge, and just deference, for our character: that a country, enlightened as Ireland, chartered as Ireland, armed as Ireland, and injured as Ireland, will be satisfied with nothing less than liberty.

I admire that public-spirited merchant, (Alderman Horan,) who spread consternation at the Custom-house, and, despising the example which great men afforded, determined to try the question, and tendered for entry what the British Parliament prohibits the subject to export, some articles of silk, and sought, at his private risk, the liberty of his country; with him I am convinced it is necessary to agitate the question of right. In vain will you endeavour to keep it back, the passion is too natural, the sentiment too irresistible; the ques-

tion comes on of its own vitality — you must reinstate the laws.

There is no objection to this resolution, except fears; I have examined your fears, I pronounce them to be frivolous. I might deny that the British nation was attached to the idea of binding Ireland; I might deny that England was a tyrant at heart; and I might call to witness the odium of North, and the popularity of Chatham: her support of Holland; her contributions to Corsica, and the charters communicated to Ireland; but ministers have traduced England to debase Ireland; and politicians, like priests, represent the power they serve as diabolical, to possess, with superstitious fears, the victim whom they design to plunder. If England is a tyrant, it is you have made her so; it is the slave that makes the tyrant, and then murmurs at the master whom he himself has constituted. I do allow, on the subject of commerce, England was jealous in the extreme, and I do say it was commercial jealousy, it was the spirit of monopoly, (the woollen trade and the act of navigation had made her tenacious of a comprehensive legislative authority,) and having now ceded that monopoly, there is nothing in the way of your liberty except your own corruption and pusillanimity; and nothing can prevent your being free except yourselves. It is not in the disposition of England; it is not in the interest of England; it is not in her arms. What can 8,000,000 of Englishmen, opposed to 20,000,000 of French, to 7,000,000 of Spanish, to 3,000,000 of Americans, reject the alliance of 3,000,000 in Ireland? Can 8,000,000 of British men, thus out-numbered by foes, take upon their shoulders the expense of an expedition to enslave you? Will Great Britain, a wise and magnanimous country, thus tutored by experience, and wasted by war, the French navy riding her Channel, send an army to Ireland, to levy no tax, to enforce no law, to answer no end whatsoever, except to spoliate the charters of Ireland, and enforce a barren oppression? What! has England lost thirteen provinces? has she reconciled herself to this loss, and will she not be reconciled to the liberty of Ireland? Take notice, that the very constitution which I move you to declare, Great Britain herself offered to America; it is a very instructive proceeding in the British history: — in 1778, a commission went out, with powers to cede to the thirteen provinces of America, totally and radically, the legislative authority claimed over her by the British Parliament, and the Commissioners, pursuant to their powers, did offer to all, or any, of the American States, the total surrender of the legislative authority of the British Parliament. I will read you their letter to the Congress. (Here the letter was read, sur-

rendering the power as aforesaid.) What! has England offered this to the resistance of America, and will you refuse it to the loyalty of Ireland? Your fears then are nothing but an habitual subjugation of mind; that subjugation of mind which made you, at first, tremble at every great measure of safety; which made the principal men among us conceive the commercial association would be a war; that fear, which made them imagine the military association had a tendency to treason, which made them think a short money-bill would be a public convulsion; and yet these measures have not only proved to be useful, but are held to be moderate, and the Parliament that adopted them, praised, not for its unanimity only, but for its temper also. You now wonder that you submitted for so many years to the loss of the woollen trade, and the deprivation of the glass trade; raised above your former abject state in commerce, you are ashamed at your past pusillanimity; so when you have summoned a boldness which shall assert the liberties of your country; — raised by the act, and re-invested, as you will be, in the glory of your ancient rights and privileges, you will be surprized at yourselves, who have so long submitted to their violation. Moderation is but a relative term; for nations, like men, are only safe in proportion to the spirit they put forth, and the proud contemplation with which they survey themselves. Conceive yourselves a plantation, ridden by an oppressive government, and every thing you have done is but a fortunate phrenzy; conceive yourselves to be what you are, a great, a growing, and a proud nation, and a declaration of right is no more than the safe exercise of your indubitable authority.

But, though you do not hazard disturbance by agreeing to this resolution, you do most exceedingly hazard tranquillity by rejecting it. Do not imagine that the question will be over when this motion shall be negatived. No! it will recur in a vast variety of shapes and diversity of places; your constituents have instructed you in great numbers, with a powerful uniformity of sentiment, and in a style not the less awful because full of respect. They will find resources in their own virtue, if they have found none in yours. Public pride and conscious liberty, wounded by repulse, will find ways and means of vindication. You are in that situation in which every man, every hour of the day, may shake the pillars of the state; every court may swarm with the question of right; every quay and wharf with prohibited goods; what shall the Judges, what the Commissioners, do upon this occasion? Shall they comply with the laws of Ireland, and against the claims of England, and stand firm where you have capitulated;

shall they, on the other hand, not comply, and shall they persist to act against the law; will you punish them if they do so? will you proceed against men for not showing a spirit superior to your own? On the other hand, will you not punish them? Will you leave liberty to be trampled on by those men? Will you bring them and yourselves, all constituted orders, executive power, judicial power, and parliamentary authority, into a state of odium, impotence, and contempt; transferring the task of defending public right into the hands of the populace, and leaving it to the judges to break the laws, and to the people to assert them? Such would be the consequence of false moderation, of irritating timidity, of inflammatory palliatives, of the weak and corrupt hope of compromising with the court, before you have emancipated the country.

I have answered the only semblance of a solid reason against the motion; I will remove some lesser pretences, some minor impediments; for instance, first, that we have a resolution of the same kind already on our Journals, it will be said; but how often was the great charter confirmed? not more frequently than your rights have been violated. Is one solitary resolution, declaratory of your rights, sufficient for a country, whose history, from the beginning unto the end, has been a course of violation?

The fact is, every new breach is a reason for a new repair; every new infringement should be a new declaration; lest charters should be overwhelmed with precedents to their prejudice, a nation's right obliterated, and the people themselves lose the memory of their own freedom.

I shall hear of ingratitude: I name the argument to despise it, and the men who make use of it: I know the men who use it are not grateful, they are insatiate; they are public extortioners, who would stop the tide of public prosperity, and turn it to the channel of their own emolument: I know of no species of gratitude which should prevent my country from being free, no gratitude which should oblige Ireland to be the slave of England. In cases of robbery and usurpation nothing is an object of gratitude except the thing stolen, the charter spoliated. A nation's liberty cannot, like her treasure, be meted and parcelled out in gratitude: no man can be grateful or liberal of his conscience, nor woman of her honour, nor nation of her liberty: there are certain unimpartable, inherent, invaluable properties, not to be alienated from the person, whether body politic or body natural. With the same contempt do I treat that charge which says, that Ireland is insatiable; saying, that Ireland asks nothing but that which

Great Britain has robbed her of, her rights and privileges; to say that Ireland will not be satisfied with liberty, because she is not satisfied with slavery, is folly. I laugh at that man who supposes that Ireland will not be content with a free trade and a free constitution, and would any man advise her to be content with less?

I shall be told that we hazard the modification of the law of Poynings and the Judges' Bill, and the Habeas Corpus Bill, and the Nullum Tempus Bill; but I ask, have you been for years begging for these little things, and have not you yet been able to obtain them? and have you been contending against a little body of eighty men in Privy Council assembled, convocating themselves into the image of a parliament, and ministering your high office? and have you been contending against one man, an humble individual, to you a Leviathan! the English Attorney-general, who advises, in the case of Irish bills, and exercises legislation in his own person, and makes your parliamentary deliberations a blank, by altering your bills or suppressing them? and have you not yet been able to conquer this little monster! Do you wish to know the reason? I will tell you, because you have not been a parliament, nor your country a people. Do you wish to know the remedy; be a parliament, become a nation, and these things will follow in the train of your consequence. I shall be told that titles are shaken, being vested by force of English acts; but in answer to that, I observe, time may be a title, acquiescence a title, forfeiture a title; but an English act of parliament certainly cannot: it is an authority, which, if a judge would charge, no jury would find, and which all the electors in Ireland have already disclaimed unequivocally, cordially, and universally. Sir, this is a good argument for an act of title; but no argument against a declaration of right. My friend, who sits above me, (Mr. Yelverton) has a Bill of Confirmation; we do not come unprepared to Parliament. I am not come to shake property, but to confirm property and restore freedom. The nation begins to form; we are *moulding* into a people; freedom asserted, property secured, and the army (a mercenary band) likely to be restrained by law. Never was such a revolution accomplished in so short a time, and with such public tranquillity. In what situation would those men who call themselves friends of constitution and of government have left you? They would have left you without a title, as they state it, to your estates, without an assertion of your constitution, or a law for your army; and this state of unexampled private and public insecurity, this anarchy raging

in the kingdom for eighteen months, these mock moderators would have had the presumption to call peace.

I shall be told, that the judges will not be swayed by the resolution of this House, Sir; that the judges will not be borne down by the resolutions of Parliament, not founded in law, I am willing to believe; but the resolutions of this House, founded in law, they will respect most exceedingly. I shall always rejoice at the independent spirit of the distributors of the law, but must lament that hitherto they have given no such symptom. The judges of the British nation, when they adjudicated against the laws of that country, pleaded precedent, and the prostration and profligacy of a long tribe of subservient predecessors, and were punished. The judges of Ireland, if they should be called upon, and should plead sad necessity, the thraldom of the times, and above all, the silent fears of Parliament, they, no doubt, will be excused: but when your declarations shall have protected them from their fears; when you shall have emboldened the judges to declare the law according to the charters, I make no doubt they will do their duty; and your resolution, not making a new law, but giving new life to the old ones, will be secretly felt and inwardly acknowledged, and there will not be a judge who will not perceive, to the innermost recess of his tribunal, the truth of your charters and the vigour of your justice.

The same laws, the same charters, communicate to both kingdoms, Great Britain and Ireland, the same rights and privileges; and one privilege above them all is, that communicated by Magna Charta, by the 25th of Edward the Third, and by a multitude of other statutes, "not to be bound by any act except made with the archbishops, bishops, earls, barons, and freemen of the commonalty," viz. of the parliament of the realm. On this right of exclusive legislation are founded the Petition of Right, Bill of Right, Revolution, and Act of Settlement. The King has no other title to his crown than that which you have to your liberty; both are founded, the throne and your freedom, upon the right vested in the subject to resist by arms, notwithstanding their oaths of allegiance, any authority attempting to impose acts of power as laws, whether that authority be one man or a host, the second James, or the British parliament!

Every argument for the house of Hanover is equally an argument for the liberties of Ireland: the Act of Settlement is an act of rebellion, or the declaratory statute of the 6th of George the First an act of usurpation; for both cannot be law.

I do not refer to doubtful history, but to living record; to

common charters; to the interpretation England has put upon these charters; an interpretation not made by words only, but crowned by arms; — to the revolution she has formed upon them, to the king she has deposed, and to the king she has established; and above all, to the oath of allegiance solemnly plighted to the house of Stuart, and afterwards set aside, in the instance of a grave and moral people absolved by virtue of these very charters.

And as any thing less than liberty is inadequate to Ireland, so is it dangerous to Great Britain, we are too near the British nation, we are too conversant with her history, we are too much fired by her example, to be any thing less than her equal; any thing less, we should be her bitterest enemies — an enemy to that power which smote us with her mace, and to that constitution from whose blessings we were excluded: to be ground as we have been by the British nation, bound by her parliament, plundered by her crown, threatened by her enemies, insulted with her protection, while we returned thanks for her condescension, is a system of meanness and misery which has expired in our determination, as I hope it has in her magnanimity.

There is no policy left for Great Britain but to cherish the remains of her empire, and do justice to a country who is determined to do justice to herself, certain that she gives nothing equal to what she received from us when we gave her Ireland.

With regard to this country, England must resort to the free principles of government, and must forget that legislative power which she has exercised to do mischief to herself; she must go back to freedom, which, as it is the foundation of her constitution, so is it the main pillar of her empire; it is not merely the connection of the crown, it is a constitutional annexation, an alliance of liberty, which is the true meaning and mystery of the sisterhood, and will make both countries one arm and one soul, replenishing from time to time, in their immortal connection, the vital spirit of law and liberty from the lamp of each other's light; thus combined by the ties of common interest, equal trade and equal liberty, the constitution of both countries may become immortal, a new and milder empire may arise from the errors of the old, and the British nation assume once more her natural station — the head of mankind.

That there are precedents against us I allow — acts of power I would call them, not precedents; and I answer the English pleading such precedents, as they answered their kings when they urged precedents against the liberty of England, such things are the weakness of the times; the tyranny of one side,

the feebleness of the other, the law of neither; we will not be bound by them; or rather, in the words of the declaration of right, "no doing judgment, proceeding, or any wise to the contrary, shall be brought into precedent or example." Do not then tolerate a power—the power of the British Parliament over this land, which has no foundation in utility or necessity, or empire, or the laws of England, or the laws of Ireland, or the laws of nature, or the laws of God, — do not suffer it to have a duration in your mind.

Do not tolerate that power which blasted you for a century, that power which shattered your loom, banished your manufactures, dishonoured your peerage, and stopped the growth of your people; do not, I say, be bribed by an export of woollen, or an import of sugar, and permit that power which has thus withered the land to remain in your country and have existence in your pusillanimity.

Do not suffer the arrogance of England to imagine a surviving hope in the fears of Ireland; do not send the people to their own resolves for liberty, passing by the tribunals of justice and the high court of parliament; neither imagine that, by any formation of apology, you can palliate such a commission to your hearts, still less to your children, who will sting you with their curses in your grave for having interposed between them and their Maker, robbing them of an immense occasion, and losing an opportunity which you did not create, and can never restore.

Hereafter, when these things shall be history, your age of thraldom and poverty, your sudden resurrection, commercial redress, and miraculous armament, shall the historian stop at liberty, and observe, — that here the principal men among us fell into mimic trances of gratitude, — they were awed by a weak ministry, and bribed by an empty treasury, — and when liberty was within their grasp, and the temple opened her folding doors, and the arms of the people clanged, and the zeal of the nation urged and encouraged them on, that they fell down, and were prostituted at the threshold.

I might, as a constituent, come to your bar, and demand my liberty. I do call upon you, by the laws of the land and their violation, by the instruction of eighteen counties, by the arms, inspiration, and providence of the present moment, tell us the rule by which we shall go, — assert the law of Ireland, — declare the liberty of the land.

I will not be answered by a public lie, in the shape of an amendment; neither, speaking for the subjects' freedom, am I to hear of faction. I wish for nothing but to breathe, in this our island, in common with my fellow-subjects, the air of liberty. I have no ambition, unless it be the ambition to

break your chain, and contemplate your glory. I never will be satisfied so long as the meanest cottager in Ireland has a link of the British chain clanking to his rags: he may be naked, he shall not be in iron; and I do see the time is at hand, the spirit is gone forth, the declaration is planted; and though great men should apostatize, yet the cause will live; and though the public speaker should die, yet the immortal fire shall outlast the organ which conveyed it, and the breath of liberty, like the word of the holy man, will not die with the prophet but survive him.

I shall move you, "That the King's most excellent Majesty, and the Lords and Commons of Ireland, are the only power competent to make laws to bind Ireland."

Mr. Robert Stewart (afterwards Lord Londonderry, father to Lord Castlereagh) seconded the motion. It was opposed by the Attorney General, (Mr. Scott, afterwards Lord Clonmell,) who moved, by way of amendment, That the consideration of the question be adjourned until the 1st day of September: he stated that the motion would invalidate the titles to most of the estates in Ireland, that they were held under English acts, and the consequences might be dangerous to the peace of the country; but although he opposed the measure, he reprobated all English acts that were to be enforced without having been recognised by the Irish legislature. Mr. Foster (afterwards Speaker) strenuously opposed the motion. Mr. Fitzgibbon (afterwards Lord Clare, and Chancellor of Ireland) likewise opposed the motion: he inveighed in severe terms against the people who, in their addresses to their representatives, had recommended such measures as the present: they were riot and clamour, and the production of a giddy faction, and nothing but the incapability of government would have permitted such proceedings to take place; they led to the present measure, which, he conceived, would tend to embroil both countries. Mr. Gervase Parker Bushe said that the resolution would do no good, and would only create discontent in the two countries; the Judges' Bill and the proposed alteration of Poyning's law might be affected by it, and England would, in consequence, be disposed to grant less than she otherwise might be inclined to do. Government had put 16,000 firelocks into the hands of the people, and it was a bad return to make such demands as these. Mr. Daly opposed the motion, at the same time he denied the right of England to legislate for Ireland: he said he was proud to join in the sense of the nation; that the liberty of Ireland depended upon this day, and he was happy to declare that Ireland was as independent as England. Ireland had received benefits, and had got a free trade, and should not be ungrateful by sending forth this wanton challenge to England — a declaration of rights. It was dangerous to wound the pride of Great Britain; it would only exasperate her wrath, not diminish her power; titles would be shaken, and,

in his opinion, the people at large were not in earnest in this measure. Sir Hercules Langrishe, Mr. Toler, Mr. Chapman, Sir John Blaquiere, and Sergeant Fitzgerald, opposed the measure. The Provost (the Right Hon. H. Hutchinson) entered into a long detail of the laws since the time of Henry II., tending to show that Ireland was a separate and distinct kingdom, not bound by any legislature except her own, but merely appendant by compact to England. The motion was most ably and eloquently supported by Mr. Hussey Burgh, (afterwards Chief Baron of the Exchequer,) Mr. Yelverton, (afterwards Lord Avonmore,) also by Mr. Forbes, Mr. Metge, Mr. Ogle, and Sir Edward Newenham. Mr. Grattan was pressed to withdraw his motion, but he declared that he would not consent to do so, especially since one gentleman (Mr. Fitzgibbon) had presumed to call the sense of eighteen counties faction, riot, and clamour; but he hoped such idle language would have no weight against the rights of a people: another gentleman, the law officer of the crown, (Mr. Scott,) had asserted that the Parliament of England had a right to bind Ireland: under these circumstances he would persist in his motion. Mr. Burgh then proposed an amendment, viz. "That there being an equal resolution on the Journals (July, 1641,) with the one now moved, that the same may, for that reason, be adjourned to the 1st of September next;" the principle, however, being generally conceded, that England had no right to bind Ireland. After a debate of fourteen hours, at half-past six in the morning, the division took place on the original amendment, when there appeared, Ayes 90, Noes 133; Majority 34.

List of Members who voted against Mr. Grattan's Motion, for a Declaration of Right.

Adderley, Thos.
Allen, Hon. Richard
Annesley, Hon. Richard
Aylmer, Sir Fitzherbert, Bart.
Bailie, James
Beamish, Francis Bernard
Beresford, Right Hon. John
Birch, Robert
Blakeny, Thomas
Blakeny, John
Bourke, Hon. John
Browne, Sir John, Bart.
Browne, Hon. G.
Browne, Hon. James
Brooke, Right Hon. A.
Burgh, Thos., Oldtown
Burgh, Thos., Chapelizod
Bushe, Gervase Parker
Burton, Right Hon. Wm.
Butler, Hon. Pierce
Cane, Lieut.-col. Hugh
Carleton, Hugh
Caulfield, Wm.
Cavendish, James
Chapman, Wm.
Chapman, Benjamin
Clements, Robert
Clements, Right Hon. H. Francis
Cooper, Right Hon. Wm.
Cobbe, Thomas
Coghlan, Thos.
Colville, Wm.
Coote, Chas. H.
Conolly, Right Hon. Thos.
Conyngham, Wm.
Creighton, Hon. A.
Cromie, Sir Michael, Bart.
Crosbie, Lord
Cunningham, General
Cuffe, James
Daly, Denis
Deane, Right Hon. Sir Richard
Digby, Simon
Dillon, Robert
Dillon, John
Faulkner, Sir Richard

Fitzgerald, Robert
Fitzgerald, James
Flood, Right Hon. Henry
Flood, Frederick
Flood, Warden
Foster, Right Hon. G.
Foster, T. J.
Gardiner, Luke
Gamble, Robert
Greene, Godfrey
Hamilton, John
Hamilton, John Stewart
Hancock, John
Hancock, Wm.
Heron, Sir Richard
Holmes, Peter
Howard, Hugh
Howard, Robert
Hunt, Edward
Jackson, Right Hon. R.
Jephson, Robert
Jones, Right Hon. Theophilus
Keating, Michael
Kingsman, J. Long
Knox, Thomas
Knox, John
Lambert, Charles
Langrishe, Sir Hercules, Bart.
Leigh, John
Lloyd, Thos.
Longfield, Mountcford
Lysaght, Nicholas
Lysaght, Hon. James
Mason, John Monck
Massey, Hon. Hugh
Mathew, Francis
Maunsell, Thos.
May, Sir James, Bart
Meredyth, Henry
Montgomery, Wm.
Moore, Thomas
Moore, J.
Murray, Alexander
Nesbit, Thomas
O'Neil, John
Palmer, Sir Roger
Parnell, John
Pennefather, Richard
Pennefather, William
Pigot, Lieut.-col.
Pomeroy, Henry
Pomeroy, Arthur
Ponsonby, Jas., Carrigue
Rawson, George
Reilly, John
Roche, Sir Boyle, Knt.
Ross, Robert
Sandford, Robert
Scott, Right Hon. John
Sheridan, Charles Francis
Skeffington, Hon. Charles
Smith, Sir Skeffington, Bart.
Somerville, James
Southwell, Hon. H. R.
St. George, Thomas
St. George, Sir Richard, Bart.
St. Leger, Hon. Richard
Staples, John
Stopford, Hon. Col. Edward
Swan, Edward Bellingham
Tighe, Edward
Tighe, Robert
Toler, John
Tonson, William
Tottenham, Henry Loftus
Tottenham, Chas.
Tottenham, Chas.
Tottenham, Chas.
Townsend, Richard
Tunnadine, J.
Tydd, John
Uniacke, James
Uniacke, Robert
Waller, Robert
Warren, Thos.
Ward, Hon. Edward
Wynne, Owen

SPEECH OF THE RIGHT HONOURABLE EDMUND SEXTON PERRY, SPEAKER OF THE HOUSE OF COMMONS, AT THE BAR OF THE HOUSE OF LORDS, ON WEDNESDAY, 24TH MAY, 1780, ON DELIVERING THE THREE MONEY BILLS.

" May it please Your Excellency,

" During the vicissitudes of a foreign and still more dangerous civil war, which has wasted a great extent of the British empire, it has been the peculiar felicity of this nation to preserve the pub-

lic tranquility, and though long depressed by the narrow policy of former times, still to retain such vigour, and at the same time such temper and caution, as animated it to claim, with honest confidence, its rights, and yet restrained it from transgressing the bounds of its duty, or hazarding the loss of that inestimable blessing, the British constitution.

"To this state of union and moderation, unexampled in any age or in any country, under similar circumstances, to Your Excellency's judicious conduct and faithful representations, to His Majesty's benevolent disposition and tender concern for the sufferings of his people, to the wisdom of his minister, however questioned in some instances, in this acknowledged by all, to his resolution and constancy in combating established habits and rooted prejudices, and to the justice and generosity of the British nation, must be ascribed the happy restoration of that equitable system of equality in commerce, which has silenced (I trust for ever) those pernicious suspicions and jealousies which lately threatened the peace of both kingdoms.

"But whatever advantages this change in our condition may promise, it will avail us little if it inspire false hopes and vain expectations of sudden affluence: the future prosperity of this kingdom will depend upon our industry and economy, public as well as private, the effects of which, though certain and permanent, are ever gradual and slow, and unless our expences are regulated by our acquisitions, disappointment will be our portion, and poverty and distress must be the consequence of our conduct.

"Notwithstanding those considerations, and the reduced state of this kingdom, the Commons have granted to His Majesty much larger supplies than in any former session; they have borrowed a sum of 610,000l. to discharge the arrears of the establishments; and in order to provide against any future deficiency, they have made an addition to the revenue, estimated at above 150,000l. a year. Nor have they been less attentive to the interest of the people than to the honour of the crown. The public good has been the object, to which all their efforts have been directed, and their conduct through the whole course of this session has alike entitled them to the confidence of their Sovereign and of their constituents, and will leave to all future Parliaments a memorable and instructive example of fortitude, moderation, and wisdom."

MUTINY BILL.

MR. BUSHE'S MOTION TO INTRODUCE AN IRISH MUTINY BILL.

May 29. 1780.

MR. GERVASE PARKER BUSHE had in this session made several attempts to bring in heads of a Mutiny Bill: it was successfully resisted by the government party; but after many dis-

cussions the motion was carried on the 22d of May, by a majority of 140 to 18. The bill was presented on the 25th, and read a first time; and on this day the House went into the committee. Mr. Bushe declared the object of the measure was to place His Majesty's subjects on the same footing as in England, that the Irish army might be governed by laws enacted in its own country: such was the case in England, and Ireland was entitled to equal liberty: the people would no longer obey laws enacted in Great Britain, and affecting the life and limb of the Irish soldier. On the other side, it was contended, that the measure would tend to dismember the empire. The Attorney-general declared that England would never give up her rights, and that the contest would end in bloodshed. Mr. Fitzgibbon said that it would have been better if the measure had never been mentioned. A spirit of turbulence had gone abroad; but that now the measure must be gone through in silence, in order to prevent ruinous consequences: the peace of the nation was at stake, and the safety of the country was endangered. Mr. Yelverton most ably defended the measure and the party he acted with, from the attacks of government: he contended for the justice and policy of the measure.

Mr. Foster proposed a clause which would keep clear of the English Mutiny Act, and adopt the articles of war, as exercised by the King in this country: the regulation of the military must appertain to the King as supreme head of the empire. He accordingly moved, "That His Majesty's army in this country should be regulated by such laws as the King has made, or may make, provided they do not extend to life or limb of the subject; and that the members of all courts-martial do take the following oath" (the oath usually taken on all courts-martial).

The motion was seconded by Mr. Monck Mason, and supported by Sir Hercules Langrishe, Sir John Blaquiere, Mr. Chapman, and Captain Burgh; it was opposed by Mr. Parnell, Mr. Hussey Burgh, Mr. Forbes, the Provost, and Mr. Yelverton; who observed upon the folly of British ministers expecting to enforce English laws in Ireland, when even to execute decrees made by the King's Bench in England, on writs of error from the King's Bench of Ireland, they were obliged to apply to the Irish courts for power; when the King of Great Britain was advised by his ministers to touch with his sceptre the law that declared Ireland a slave, (the declaratory act of the 6th of George the First,) he broke the imperial crown of Ireland into pieces: let us then gather up the scattered fragments, and with them form a diadem worthy of our Sovereign's brows, instead of the hateful wreath of usurpation. We were moderate (continued he) this entire session; but such have been the declarations of ministers this day, that moderation is now at an end: we shall, however, proceed with caution, and first secure to Ireland the benefit of this constitutional measure.

Mr. GRATTAN spoke as follows: —

Sir, I have heard the strength of England magnified and

that of Ireland depreciated by a right honourable gentleman. I will enter into that contest, not to commit the nation as he does, but to show the impossibility of the tyranny of the one, and the servitude of the other, and to secure the amity of both.

Gentlemen, suppose this proceeding will be laid before the Parliament of England, and that a contest may ensue, if Ireland refuses to submit to the power of the British Parliament regulating the army: my answer to this is—the question is already before them; at all events, the people of Ireland will not obey English law. The House of Commons may refuse to declare the rights of this country, but they cannot compel the people to be slaves. "The British minister will appeal to the Parliament of England to make Ireland obey a British law." What would be the worst consequence of such complaint? That England would pass resolutions. Can she pass any stronger than the declaratory act? That England would pass a law to coerce. Can she pass a stronger one than the act of mutiny and desertion? What would be the effect of her resolution and her law? They would not be regarded, they would prompt a new spirit of resistance, and fortify a chain of national combination. Would she act against us with her army? She has no army in Ireland. Multiply your speculations, indulge your fears, the worst that can happen from sending a proper mutiny bill to England is, that the minister will refuse it now, and call you next October in order to pass one.

When the House, by a majority of 140 against a minority of 18, determined the principles on which these heads of bills were opposed; when by so conspicuous a majority they resolved, that the British act of mutiny and desertion did not reach Ireland, I had hoped that the principles then exploded would not have been revived, and that, however gentlemen might modify the bill, they would not make any attempt upon the constitution. I find myself under a mistake, and that power of the British Parliament which was utterly denied on Monday is on this day in part revived. On what principle else is the alteration proposed but on this, that the Parliament of Great Britain may bind Ireland, in the instance of the army. Sir, if this principle is at once admitted, if you suffer Great Britain to make law for Ireland in any case, she may make it in all: the legislation is universal; the Parliament competent to legislate at all may legislate throughout. The Parliament competent to legislate for the Irish army may legislate for the Irish people; it is only the particular application of a general principle of indefinite power: so the

minister argued with respect to taxation: he shewed the competency of the British Parliament to legislate in many cases for America, and made taxation a branch of legislative authority. The advocates against the American taxation never affected to make a distinction: they asserted that taxation was not an ordinary exercise of the legislative authority, but a free grant: the British minister and the Parliament of England, however, have reasoned otherwise, and supported a right to tax the Americans, because taxation is a branch of legislation, and if the British Parliament can legislate at all, it can legislate throughout. The alteration, therefore, and the opposition given to the introduction of the bill, are exactly upon the same principle that the British Parliament binds Ireland. The gentlemen opposite maintained the general principle with much ability. Another gentleman applied that general principle with some art to the army, and both oppose the liberty of the subject.

That distinctions are to be made I am not surprized, nor was there ever a subversive measure brought forward that was not distinguished out of the general mischief which it was to introduce, and the general bad principle on which it was founded. The alteration is vindicated on two grounds; one, that the regulation of the army in general belongs to the legislative authority of Great Britain; thus the Parliament of England is invested with an imperial power, or a maternal authority, in all matters relative to the army, and the Irish forces paid by Ireland for the express purpose of defending this kingdom, are governed by the Parliament of the British nation. There is neither law, nor sense, nor safety in this doctrine.

I know of no common law nor statute law which enables the British Parliament to exercise a legislative authority in this land, in the particular case of the army, against the general rule. Where is this exception? There is no statute law: it cannot be common law; for standing armies are a modern institution. This doctrine, unsupported by common or statute law, has no foundation except in a pretended law of empire, which individuals make in contempt of the rights of men and nations: they suppose that the term army concerns the whole empire, and therefore must be subject to the dominion of that legislature which is the seat of empire: so does commerce concern the whole empire, and so may every thing that concerns the parts be construed to concern the empire, and thus every thing be brought by construction within the dominion of the British or imperial Parliament.

But trade and army, and every institution in this country,

are to be governed by one uniform principle; by express law, and the legislature of the land. No individual has a right to put his private sense upon this institution or that institution in Ireland, and say this relates to Ireland, and that to the King making law in Ireland; thus putting his own construction upon the nature of that institution, to take from the authority of the nation, and introduce into the country a foreign and arbitrary legislature. If gentlemen have a right to say, the army as it relates to the whole may be governed by the British Parliament, may not the English say, as commerce relates to the whole, it may, upon the same principle, be governed by the Parliament of England? The idea therefore is ruinous; apply it to the particular case of the Irish army: the Irish army does not relate to the whole, it is not an imperial army; instance your augmentation. Have those gentlemen taken the Irish army out of the general service thus to load their country, and will they plead the general and imperial service in order to enslave her?

The act from session to session silences that argument, that the army of Ireland is an imperial army; which argument, if founded in fact, would be little more than nonsense. Consider next that code or system of British law by which they would regulate the Irish army: it is not one law, but a system of legislation: 1st, it creates crimes, and exercises capital punishment; 2dly, it enables His Majesty to create new offences, and annex new pains and penalties, which shall be death; 3dly, it constitutes a new judicature to try these new offences, and invests the judicature with powers the most violent and summary; 4thly, it appoints a new form of oath, wherein the member of the court-martial swears he will pursue the English act of mutiny and desertion.

This is not a solitary act, but a whole code and volume of tyrannical power: it is the greatest stretch of legislative authority, whether you consider it as making offences unknown to our law, annexing to those offences a rapid and violent death, establishing courts, not only unknown, but contrary to the principles of our law, imposing an oath to act in a case of life and death under the authority of the British Parliament. I do not know a more comprehensive power, nor can I conceive that Great Britain, if competent to establish such a system, is not competent and perfect in all cases of legislation; and if the Parliament of England can exercise in this country such an authority over that military establishment which we pay and appropriate to our own defence, I do say, I see no law for such an exercise on her part, or no liberty on ours.

The alteration is inadmissible, or the present bill totally unnecessary; it is worse, it is mischievous; it is making the parliament of Ireland an engine to destroy her liberty. The magistrates will not execute the British act, and you oblige them to do so: you leave the army of Ireland subject to the British law, and oblige the magistracy to act under it, just as if you compelled the commissioners to collect the tea-tax. You enact in Ireland not the British law, but the authority of the British Parliament; this is being not an Irish parliament, but an instrument in the hands of the British.

What is it that a justice of peace does when, pursuant to your authority, he delivers up a deserter to be tried by a court constituted by an act of the British Parliament, under an oath fabricated by the British Parliament, to be sentenced to death under an act of the British Parliament? thus you coerce the country by your own law, and leave the army subject to none.

I will suppose a case: the people, intelligent of the nature of our measures, so inconsonant to their liberties or expectation, shall endeavour to disappoint them: they have an ample opportunity; a soldier, punished by the court-martial, brings his action, his expense borne by the people, his damage found to a great amount, — will any man, upon his oath, refuse to find damages in that case? would any man, upon his oath, say, that a subject, though a soldier, can be punished in Ireland by a court of justice constituted by the authority of the British Parliament?

See the weakness, and involving absurdity, the never-ceasing anxiety of an attempt to keep alive in the realm of Ireland, under any pretence, a remnant of the tyrannical power of the British Parliament. If you make the attempt, you only transfer the resistance to the collective body of the people, probably less temperate, but at last effectual.

It is said, that we should so model the bill as to secure its return, Sir: I think so; and therefore there is no preamble; therefore, there is no declaratory part. But do gentlemen say we should so model the bill as to make it cease to be an Irish bill of mutiny and desertion, and render it only a compulsion on the civil power to carry into execution the British law? This would be a parliamentary recognition of British power, and surrender of Irish liberty; and this certainly would secure the bill passing in England, but should prevent it from passing here: as the army is a grant to the King, so is the law regulating that army a concession.

Do you consider it as a concession from His Majesty to pass a bill, the powers of which collect the revenue? why then con-

sider it a concession to pass the bill which regulates the army? But if you give the King an army, and the Parliament of England the power of regulating that army, you are not a free Parliament nor a free people.

The bill consists of great parts, one affecting the civil power, the other regulating the army; one part is to carry the other. If His Majesty chooses that the magistrates of Ireland should assist the military, we must consent that the same Parliament must regulate both: the former is indispensable to him; bind it to the latter, and you carry both; nothing but your active interposition against yourselves can hurt you.

Gentlemen who talk of regulating this matter so as to secure its return, forget that if they do not by their address lose the post of strength, the measure carries itself: the law is founded on the necessity of keeping up a standing army, and the result will be constitutional government. But gentlemen talk of making it politic, by disguising, if not omitting that part which concerns the army; so that in Ireland it shall bear a construction in favour of our liberties, and in England against it: this is a principle I despise. If you *imply* any power in the British Parliament to regulate the army of Ireland, you leave the constitution worse than you found it; and the bill is mischievous. If introducing this bill, you tremble at the claims of England, and not only fear to declare your rights, but fear to enact your own laws and regulations, you challenge a new attack by your timidity, which you will prevent by your fortitude. Ireland is free, if her Parliament is honest and decided: your timidity or your corruption lose the liberty of the subject.

The House divided on the amendment of Mr. Foster. Ayes 117, Noes 80; Majority 37.

PERPETUAL MUTINY BILL.

MR. O'HARA MOVES AN AMENDMENT TO LIMIT THE DURATION OF THE BILL.

August 16. 1780.

THE heads of the Mutiny Bill, without a clause to render it perpetual, and with an amendment of Mr. Fitzgibbon, empowering the Lord-lieutenant to issue warrants to hold courts-martial, was, on the 2d of June, ordered by the House to be brought up by Mr. G. P. Bushe to the Lord-lieutenant for transmission to England.

On the 24th of July the House met, pursuant to adjournment, to receive the bills that had been transmitted to England. The Mutiny Bill not having been returned, Mr. Ogle called on Sir Richard Heron (the secretary) to state when it had been transmitted; and no explanation being given, he moved that the proper officer do lay before the House the date of transmission. This was accordingly ordered, and the order was served on the clerk of the privy council. To this order no return was made. Sir William Osborne, after commenting on this disrespect to the House, proposed an address to the Lord-lieutenant, requesting him not to order the march or removal of any troops until a Mutiny Bill had passed the House. He was, however, persuaded to withdraw his motion, and the House adjourned the consideration of the subject till the 8th of August, on which day there was a call of the House. Mr. Grattan then mentioned that it was reported that the bill was to be returned with a clause, rendering it perpetual; and he expressed himself in very strong terms against this measure. On the 12th, the bill was returned from the British privy council, with a clause inserted to render it perpetual. Mr. Grattan then declared this measure would draw down public vengeance on the head of the minister. On this day (the 16th) the House went into a committee on the bill, when Mr. O'Hara moved, by way of amendment, to insert the words "until the end of the next session of Parliament, and no longer." This was opposed by Sir H. Cavendish, Sir Richard Heron, Sergeant Fitzgerald, Sir B. Roche, Sir Richard St. George, the Provost, Mr. Mason, and Sir H. Langrishe. They contended that the object of the popular party had been obtained; that the bill was of Irish offspring: the words "by and with the consent of the Lords Spiritual and Temporal, and the Commons, in this Parliament assembled, and by the authority of the same," rendered it an act of the Irish Parliament, and the perpetuity did not alter the principle. The number of forces in Ireland were voted in the bill of supply, which was a temporary act, and the King must recur to Parliament for both the army and the supply. The alteration in England had been made with a view to save the minister the trouble of putting the great seal every two years to a new bill. Though it gave new authority to the King, it did not give new powers, and it did not supersede the law, but rendered it necessary for the Irish Parliament to assent, by the bill, to the enactment of martial law in certain cases. The amendment was supported by Mr. Bushe, Mr. Ogle, Mr. Forbes, Mr. Fitzgibbon, and Sir Vesey Colclough: they contended that this bill was a subversion of all public liberty: it gave to the King a dictatorial and perpetual power over 15,000 soldiers: they considered the power of originating this act, as a declaration of right; and its alteration proved that the power of legislation over Ireland was exercised by England; and in this instance, it gave an unconstitutional power to the King, and a greater power than the law of England allowed. If the bill was rejected, no danger could ensue; another bill would be sent over, and the army could, until then, be regulated by the old law. The question was, whether

the King should have a power independent of the Parliament; and they had then to decide whether they were a Parliament or a body merely to register the edicts of the British privy council.

Mr. GRATTAN spoke as follows: —

Sir,—Gentlemen justify their vote on the danger of disbanding the army — what an apprehension! let us examine it. The threat imports that His Majesty will rather permit the army to disband than to accept an authority over it for a term not exceeding eighteen months. Had His Majesty altered, and added to the Six-Months' Money Bill a clause, assuming the same to himself for two years, threatened that he would take the bill upon no other terms, but would sacrifice military and civil establishment, and public credit likewise, and leave all a victim to inherent obstinacy; or should His Majesty refuse to pass the Revenue Bill unless perpetual; or if he should threaten, if he were not indulged to the extent of his wishes, to abdicate, I should give the same credit to these declarations as to the denunciation that the King will suffer the army in Ireland to disband, if his power is restricted to the same terms to which it submits in Great Britain, and to which the additional revenue is limited.

Such arguments are weak threats in ministers, and poor pretences in those who depend upon ministers, and only used to men who are willing to be deceived. Kings should not be suffered to say that they will not receive from their subjects new and suspicious power, except upon their own terms of their own usurpation. The power they have is a grant from their subjects, limited, but ample, as much as is consistent with the freedom of the subject, or the ability of the King; they have sought it with all its restrictions, with all constitutional restrictions, the crown of these kingdoms is no hardship for them to wear. That His Majesty would turn his army loose upon his subjects was what the most timid did not fear, the most foolish did not believe, and what his minister never devised: His Majesty may repeal the law of Poynings; His Majesty may give back to Parliament the hereditary revenue; His Majesty may pass an Irish bill of rights; His Majesty may repeal the present Perpetual Mutiny Bill: but there is one thing His Majesty will not do — disband his army.

This declaration, false in itself, was rendered indecent by former declarations from those by whom it had been asserted: it had been urged that the order and movement of the army required a Mutiny Bill: it was said that the army would not disband nor desert: in this confidence it was delayed for

several weeks in the council of Ireland, and for a month in that of Great Britain. During this interval, it was said with a boast, that the army had not disbanded; when the danger of desertion was urged for the constitutional government of the army, it was treated with contempt; but when an unconstitutional law was to be defended, it became an invincible argument; thus weak, contradictory, and confident is that main argument for the mutiny bill: nor can I conceive that the men who used the argument do in reality feel the force of it; because I remember these very men eight months ago, did not fear to send over to His Majesty a six months' money bill, and challenge the obstinacy of the minister to hazard the very being of the state, though now they fear to hazard the duration of that part of the state, which the Chief Magistrate is particularly attached to — the army; and I am the more inclined to doubt the sincerity of such an argument, because these very men frequently boasted during the delay of the mutiny bill that the army had not deserted, and they did contrive to delay the mutiny bill still longer in that very confidence, before they had so full an experience of the foundation of their assertion.

If the transmitted bill had been sent back again, I have no doubt but that it would have passed; and I am confirmed in that opinion from a knowledge that the altered and perpetual mutiny bill was not sent to this country until the pulse of individuals had been felt, and a majority procured for supporting it. The mutiny bill was made perpetual, not because the English ministry would not consent to a limited law, but because the Irish House of Commons were willing to consent to a perpetual one: the minister of England would have consented, or if he had not, and had found the army, he would have summoned the Irish Parliament and asked for the law. The situation of the country was as clear as it was strong; but the Parliament came down from its post of strength where it might have slept, and must have conquered: had Parliament recollected, had Parliament thought for a moment, had Parliament, that had manifested such an active spirit in demanding trade, in declaring against new taxes, that had departed from its usual maxims, and limited the bill of supply to six months,—had Parliament here shewn a common firmness, had Parliament never interfered, had Parliament fortunately for the freedom of the subject and its own honour been prorogued at that period, the constitution would have carried itself, the King must have come to his people, called his parliament, and asked for a mutiny bill as for a bill of supply; you would have granted him power, as you do money, upon your own

terms, and upon whatever terms you gave, the King must have been thankful. The spirit of the people had brought the country to that state where nothing could have prevented our perfect freedom, except our own Parliament. The ministry knew we were impregnable to every thing except the most incomprehensible folly, or the most unbounded corruption: conscious of this, they applied to both, but particularly to the latter, and bought from the Irish Parliament the prerogative to govern the army without the consent of the Parliament; a power which the people of Ireland had denied to the Parliament of England. The ministry were sensible of the post of strength in which the Irish nation stood entrenched, and applied themselves to money where they could not with any success apply themselves to power; they bought a perpetual mutiny bill, they new-modelled parliament, and that parliament new-modelled the constitution; a corrupt legislature has established a military government; they who had come into the House of Commons as into a market-house, and who had been disgusted at the ministry from the poverty of the treasury, here found a ready sale for their vote; they who, in the service of government, had frequently opposed in the course of the session, led away by public impulse, and not arrayed by a regular plan of corruption, upon the question of the mutiny bill hoped to bring themselves home, and secure by a decisive blow to the people's interest, what they had frequently hazarded by irregular sallies of virtue; they who had been bred and almost born soldiers, biassed by a military education, and who had no idea upon the subject, except that every thing respecting the army was the King's money, the King's cloth, and the King's force, thought they found that arbitrary species of government they were proceeding to form.

The next argument is, that a principle was carried against the competency of the Parliament of England to make law for this realm: I fear if that principle had not been carried before the mutiny bill, it never had passed the House of Commons; I hope such a principle is contained, or implied, or settled by the mutiny bill; but this I must add, that the bill having come back to Ireland under the great seal of England, as much carried the principle as the passing it finally into a law, for all the parties had assented; the latter did not strengthen the principle of our liberty, but did very much strengthen the power by which that liberty might be destroyed, — the military power of the Sovereign. If the House of Commons sought an argument in support of their claim of right, the natural method would have been to have come to a declaration of right; if they wanted solid strength instead of resolutions to support them, they should have kept the army

dependent upon themselves instead of giving it to the Crown for ever. The objection to the declaration of right (which I proposed last April) was that it contained a claim of such a sort as could not be determined by the words of Parliament, but by the power of the country: certainly if that declaration of right had impaired the solid power of the country, which it did not, the measure had been unjustifiable, even though it had asserted, as it did in the most express terms, the rights of the nation; and therefore the perpetual mutiny bill, not in express terms asserting the principle of your liberty, and in the fullest and most express terms diminishing the powers of the country, was upon no ground whatever defensible, neither upon the arguments of those who supported the declaration of right, or of those who opposed it. I hope the bill carries a construction favourable to our liberties, but whatever principle the bill does carry, the principle of those who in the English interest moulded the bill to its present shape, was the reverse of liberty, for it was founded upon this opinion, that the King can make articles of war by his prerogative without the aid of his Irish Parliament. There were two celebrated opinions in England that governed in the alteration of the Irish mutiny bill; one which has been already mentioned, the other that the declaration of right is enacting, not declaratory, and of course inapplicable to Ireland: these are the opinions of the present Lord Chancellor of Great Britain, and under those opinions he hesitated to put the great seal to an Irish act that seemed to enable His Majesty by statute for eighteen months, to make articles of war for a country, where, by prerogative, he might make articles of war for ever. It became, therefore, necessary under this opinion, that the Parliament of Ireland should either not interfere at all in the government of the Irish army, or claiming to interfere for once, should give up all right and title for ever. Accordingly a bill, which in its first stage passed the Commons of Ireland, because the magistrates would not attest nor billet soldiers, was rendered perpetual by the minister, because the Irish Parliament had no power to regulate the army: the palliatives for such measures are as gross as the arguments, and the first and most eminent for its futility, was, that His Majesty had "a perpetual revenue to feed an army, and a perpetual law to keep that army together, yet he could not by law keep up that army in time of peace without the consent of Parliament; that three things were necessary to legalise and maintain an army, — revenue, consent of Parliament to its institution, and articles of war to prevent its disorder." I hope it is so; but having given His Majesty a perpetual

revenue to feed his army, and a law to shoot his soldiers if they attempt to desert, I should think that the army would not disband: and I do not find that when the bill of supply expired, as it did when the old bill had been altered, and a new one sent over, that any desertion took place, or that it then occurred to any man, that during that interval the army became illegal. I hope, and do think, that Parliament must specially consent in order to legalise the army; but that point will not avail when you make the King too strong for the law.

If our ancestors had passed a perpetual mutiny bill, and added that mischief to a perpetual revenue, I should have caught at this point of law as a last resort; but I should never have given the King a perpetual mutiny bill, relying upon the strength of such a point, nor should I ever have given up real strength to have taken argumentative security for public liberty. I make no doubt that the people of France can make out many points in favour of liberty, but a vast military government will not suffer the subject to go into such an argument. It is not that in France and Spain there are no remaining principles in favour of liberty, but in these countries the army is independent of the people, in these countries they have established military government and made the King too strong for the law. I must add, that the continuing of an army without the consent of the Irish Parliament, and fed without its consent by an Irish revenue, would have not only the support of strength, but the countenance of law, for the Lord Chancellor of England does think that His Majesty may keep up an army without the consent of his Irish Parliament. The other palliative is base and common, "that the Sovereign of these kingdoms would attempt to destroy the subjects' freedom by force of arms was chimerical, and that whatever intermediate military power was vested in his hands was therefore safe." I conceive this argument to be founded on a supposition, that such an attempt would raise all ranks of men against him, or, as was better expressed in the course of the debate, the subject would to a man rebel. It is a terrible resource and poor apology to give the Chief a military power independent of his subjects, inconsistent with the genius of the British constitution;—a power of arms within the state, and yet no part of it;—a perpetual fomenter, suggesting arbitrary measures and corrupt maxims to a violent King, upon the confidence of unsuccessful rebellion: this is a dreadful experiment, and a foolish argument, and such a one as other nations relied upon, whose liberty is lost.

It is of many, one great objection to violent and un con-

stitutional powers lodged in the Sovereign, that they can only be controlled by violent and unconstitutional remedies: if the King was to make an arbitrary use of the army, the Parliament, by discontinuing the mutiny bill, left the King without the power of contending; the mere inaction of Parliament stopped the encroachment: the consignment of this control in Parliament prevented the minister from abusing the power with which he was entrusted; the limitation of the time tempered and sheathed the violent nature of the sword; the renewal of the power depended on the wholesome exercise thereof, and the King could govern the army only during his good behaviour, and could only regain the power by deserving it.

If a minister doubted whether he should employ the army to collect a tax or execute a law proposed by England, he would find himself deterred therefrom by the consideration that he must apply biennially for a mutiny bill; but he would be much encouraged in such an attempt, if he would command and billet for any purpose any army by laws which we did not attempt to dispute.

We do not state our danger, if we compare ourselves to a country which had only to apprehend the encroachment of a sovereign of a great and an independent army, and yet at such a power Great Britain trembled! We have not only the ambition of her king, but the claims of her parliament to guard against; we have her resources likewise to fear. How mad, then, is that measure which enables the King of Great Britain to keep in Ireland an English army without limitation of any sort whatever, — either of the number of men, the time they should continue, or the power that arrayed and billeted them. At the very time we are disputing the claims of the British parliament, we give him an Irish army, independent of the Irish Parliament, by which he may enforce British statutes.

The Parliament of Ireland has armed the claims of England with an eternal sword. I do not say that the mischief which the perpetual mutiny bill prompts will befall; I will not say that the King will billet by virtue of an Irish law an English army to enforce English law; but I must say, that an Irish law enabling to billet, march, &c. for ever, and for any purpose, would greatly facilitate the execution of such a scheme, and would be likewise a considerable inducement to adopt it. The argument, therefore, that the King will not by force of arms make attempts upon the liberty of the subject, as a general assertion, is false, and in its application to Ireland is

particularly false; to Ireland, where the control is English, whose king is English, and whose army is English.

But it is an unfair statement of the danger to say, that liberty runs no risk from absolute, perpetual, and independent military power conferred on the ChiefMagistrate, because he will not enslave his people by levying war upon them: there are ways fatal to liberty other than a direct and open hostility. Great powers given to the Crown, such as perpetual revenues, revenue bills with conditional clauses of perpetuity, and the perpetual power of the sword, make the chief power of the magistrate so very strong, that the subject will not choose to persevere in opposing his will unless he has some accidental strength; unless he has an army likewise. The King need not resort to arms; the solid strength operates without being put forth: the army of such a prince is the occult cause, but the cause influencing the motions of Parliament and people. Why was it that the Parliament and the people, with the privileges of the British nation, did not venture to resort to the benefit of their own laws, but let them perish without a blow? What else was it but this occult cause, a strength too strong for the law? The subject had an instinctive sense of the vast bulk of power opposed to him, and shrunk from the collision as a lesser body by a prescient sensibility. In such cases, the monarch but looks up to the scale of power and privilege: the latter kicks the beam, and the contest is fruitless.

I have asked, what else but this previous decision in favour of power by irresistible force, rendering it fruitless to talk of limiting it, made Ireland relinquish her trade and constitution? I ask again, what was it made Ireland insist upon but a conscious force, that occult cause, — her volunteers! they prompted her to demand a free trade, and induced the minister to accede? This was not determined by arms; the volunteers never attempted to recover liberty by arms, but they gave a silent confidence to liberty, as the army, independent of parliament, gives a silent confidence to power. Had not the volunteers existed, the men who asked for a free trade would have been told, that this was not a debate about a question of right, but expediency. Whether we had better enter the lists with the dearest rights on our side, but the most decided strength on the other, — that in a contest of this sort, the weak generally lost what the strong had before omitted to deprive her of; that, in such a posture of political debility, our rights are only saved by lying dormant.

I have said, that the liberty of this country, like that of other nations, may be destroyed by the arm of the Chief Ma-

gistrate; and likewise, that it may consume by the gradual increase of his power, and the gradual decrease of the power of the people: the town may be taken by storm, it may also capitulate. If Parliament suffers the outworks to be taken one by one, (it has suffered them,) first, an hereditary revenue surrendered; next, a revenue bill; then, the power of the sword; we are reduced to our citadel, where we may make a desperate defence or a political surrender: the political body, like the natural, dies, and, like the latter, has no precise or ascertained mode of dying, but more frequently expires by a gradual than a sudden death; and, therefore, they who are tenacious of liberty, should guard against every principle of political mortality, against every measure which tends to weaken that body whose liberty we could preserve, and corroborates the body whose power we would guard against.

These jealousies may be called speculations, but the nation that calls them so will not be long free. The Hollander does not wait on his bank until the sea has made good its impression; the approach of danger is the time to oppose it; the woman who endures familiarity, surrenders the shield of her virtue: let me add, that the persons who are most confident in declaring their firmness against a direct attack made on the liberties of the people, are the very men who would be the first to surrender them. Men who, when they daily sell liberty in the detail, think they cannot lose it in the gross, who talk of rebelling against the accumulated strength of the Crown, but cannot give lawful resistance to its incipient encroachments. I have mentioned different ways in which a free country may lose her liberty: there is another which ought not to be omitted, — liberty may be lost by an express surrender. I will state it: the parliament, I will suppose, corrupted into some measures certainly offensive to national pride, probably injurious to national commerce, and evidently unagreeable to the maxims of liberty; and the parliament may do this after it has wound up the passions of the people, and upon the same questions, on mature debate, make decisions diametrically opposite: the parliament may do this upon a motive notoriously corrupt, after the secretary has been known to agitate every particular member, and make the most prodigal promises of public money. The people incensed at such proceedings, may express themselves with great violence; the parliament resents it, a quarrel immediately commences; the obnoxious members, heated by resentment and biassed by fear, apply to the power of the crown for protection and revenge; they lament that things should

come to a pass where the king or the rabble, monarchy or anarchy must be absolute; they feel the dilemma, but in a choice of difficulties prefer government to no government, order to confusion; they therefore having by an original unwarrantable measure incensed the people to extravagance, justify themselves by an accumulation of crimes: they gave the king unconstitutional power for money, they give him absolute power for protection; a corrupt set of men, incensing an armed people, and then, securing themselves by absolute power, they sell the people first, they enslave the people afterwards: I think I hear men of a milder cast excusing such conduct, shocked at popular enormities, apprehensive for their families or their fortunes, and taking shelter *sous l'abri du trône.* Can any man doubt this may be the case, who sees a contest already commenced — a contest dishonourable to Parliament, the offspring of the perpetual mutiny bill, nursed, embraced, and carried by Parliament, signifying a breach between the House of Commons and the volunteers, under the pretence of maintaining the dignity of parliament; such contests between superior and inferior bodies are ever dishonourable, both parties change their ground, the one rises and the other sinks to meet in conflict; to the one defeat is intolerable, and victory cannot be glory; but a contest founded on the meanness and inconsistency of the superior body must be dishonourable indeed.

The House of Commons pledged itself to two ideas, the one respecting the trade of the country, the other respecting the army: that a duty of 12s. upon refined sugar was necessary to secure our refining; that the regulation of the army by the Parliament of Ireland as in Great Britain, was essential to our constitution. After long examination, mature deliberation, and frequent debate, these two ideas were fixed; they were not only ascertained but carried by a victory, so that not only the wisdom of the nation assembled in parliament, but her pride was concerned in the adhering to them. These fixed ideas of the Irish Parliament are set aside, and the two bills are regulated and altered, the trade bill by the English sugar-baker, the constitutional bill by the British cabinet; the Irish Parliament adopt both regulations. There was an idea equally fixed with that which the House had adopted with respect to the regulation, and which concerns the privilege of the House itself, — that no money bill can be altered, and yet this very money bill was kept for alteration in the British cabinet: the trade of the nation and the privilege of her parliament were hung up to be regulated, in-

fringed, and destroyed by the British cabinet, the British commissioners, the British board of trade, and the British sugar-bakers.

These measures are supposed to be carried by bribery; a letter accompanies them, enabling the Lord Lieutenant to lavish treasure, and ordering him to humble the Irish House of Commons: alterations thus circumstanced, the one attended with a direct breach of privilege, the other with a most important and alarming change in the nature of the constitution, both attended with a supposed contumely to our nation and our senate, and both adopted by that very House whose sense they superseded, whose privileges they violated, and whose power they impaired, very naturally inflame the people; the nation had been too highly tempered to bear with patience or regularity this public blow, this downfall of her pride: some of the volunteer corps express their indignation; they discover the genuine feelings of free citizens, and deliver themselves in the indiscreet language of soldiers: they charge the majority with having done upon the greatest question, (what has not been unknown in questions of less moment) — with having taken money and sold the country: the Castle immediately summon the court-members to attend the secretary, and consult about this breach of privilege; but here Parliament found it had no privilege, they had submitted to a breach of privilege from a manufacturing corporation of England, and now felt the want of privilege, where the administration had exposed them to insults which they could neither overlook nor punish; they became the tail of the court, and ceased to be the head of the people: they proceed, however; it is determined to prosecute the volunteers; a motion is made in the House of Commons to address the Lord Lieutenant to order the Attorney-general to prosecute, — That House of Commons who had thanked the volunteers, who had been escorted by these very corps to the Castle, where the Lord Lieutenant sat astonished, now by the direction of the Lord Lieutenant proceed against them; that court majority who had asserted that nothing less than a free trade would save this country from impending ruin, transferred that trade to be regulated by another power; that court majority who allowed and claimed the privilege to unalterable money bills, suffered their money bill to be altered, and instead of resenting that breach of their privileges, adopted the alteration themselves, as if privilege of parliament was only an instrument against the subject of Ireland, and not a shield to guard them against the encroachment of the subjects of another country; that House of Commons, I say, who com-

plained of violated privileges, had given up to the Crown for ever all controul over the government of the sword, and had alienated from the people for ever, and consigned to the executive branch a great portion of legislative power, and made in this instance what the law would not suffer in any, — a perpetual dictator; that House now with the authority which it has left, apply to the government to prosecute those armed societies whose services they had thanked, whose fire they had inflamed, whose attendance they had suffered, and whose numbers and duration were now particularly necessary to counterbalance the strength of a military government: I can see in such a contest how serviceable to the Crown might be the perpetual power of the sword, and an authority, independent of the people, to billet his army on its march to suppress or disperse those volunteers, who are supposed to have mutinied against Parliament; I hope things will never come to such a pass; I hope nothing is intended to diminish the number, impair the discipline, or undermine the duration of the volunteers: they become more necessary as the Crown becomes more powerful; a military government can only be restrained by a military people, and as these associations have emboldened to ask for a free trade, so they may deter a potent king from taking your liberties from a compliant parliament: but I have my fears, and I do apprehend that it is not only the design of His Majesty's ministers to humble the Irish Parliament, but to disperse the Irish volunteers, for certainly their project is to humiliate the Irish nation, and I know of nothing which now stands in the way except the volunteers.

I have answered the two principal palliatives advanced in support of a mutiny bill; I shall touch lightly on a few others. I have heard it said, "that we are not in a *worse* situation than formerly, when we had no liberty, because we had the hopes of it." The British act of mutiny and desertion did not claim to be more than an annual tyranny, and if you did not choose to submit, it was not the tyranny of a moment, you had your remedy in your laws, where now you have your evil; it was then the assumed tyranny of the British Parliament, it is now the legal tyranny of the King, established by your own Parliament; your privileges, though dormant, did exist, but they have now been brought forward by the people, and surrendered by the Parliament: but I must say, it is mean and miserable to boast that we are not reduced to a *worse* situation than that in which we were formerly, when we were in possession of neither trade or constitution. Have all our endeavours — the struggles of our people — the demands of

our Parliament, and the ostentatious display of virtue, left us *only* in a situation *not worse* than formerly? The country should have been free! It was in the power of Parliament to have made her so. The model for her liberty should have been British liberty; the maxims of her jealousy should have been British maxims. If the British minister shall hereafter detract from our trade, if he shall confine us to the export of coarse woollen cloth, still we are in a better situation than when we had no trade: if not the perfect state of commerce and of liberty, but a state wherein both were extinguished, is to be ever in our contemplation; if we are to blame ourselves for omitting the most obvious opportunity of establishing our trade and rights for ever, but to congratulate ourselves for raising them from that entire depression, this country finds in the conduct of her senate — a limitation of prosperity which she has not in her natural situation.

I defy any author to instance a country whose former situation was so oppressed, or whose present opportunities so decided as those of Ireland; and, therefore, wherever she fell short of the British constitution, to have left her constitution defective, she must have been kept back by her Parliament; thus, for instance, the mutiny bill for two years with the British preamble, would have carried itself merely because the people would not obey an English mutiny bill.

Another palliative for such a measure is a new and extraordinary assertion, that in these countries the army was imperial, not parliamentary in its nature; and, therefore, it was inferred that the articles of war should not from session to session be made by the Irish Parliament: but this argument proceeds not so much upon a knowledge of the service, as an ignorance of the constitution, which does not conceive an army, still less an imperial army, for it is not formed upon the idea of empire, or of an empire. "An army," says Mr. Blackstone, "in England is *ipso facto* disbanded at the expiration of every year, unless continued by Parliament; nothing ought to be more guarded in a free state, than making the military power (when such a one is necessary to be kept on foot) a body too distinct from the people; like ours, it should be wholly composed of natural subjects, it ought only be enlisted for a short and limited time; the soldier should live intermixed with the people; no separate camp, no barracks, no inland fortresses should be allowed; and it might still be better if by dismissing a stated number and enlisting others at every renewal of their term, a circulation could be kept up between the army and the people, and the citizen and the soldier be more intimately connected together:

to keep this body of troops in order, an annual act passes 'To punish mutiny and desertion.'" Such are the words of Blackstone.

Therefore, this argument, which makes the army imperial, contradicts the ancient constitution, the preamble of the British act, which declares any army in time of peace against law, but a parliamentary army, and the biennial bill of supply, which makes our army not an imperial but an Irish army. The imperial idea would, if taken in its full extent, go much farther than divest the Parliament of Ireland of the power of making articles of war; it would divest the Parliament of England also, and lodge in the hands of the Chief Magistrate that power which related to the whole empire, and ought to be lodged in the distinct legislative assemblies. The fears that distinct legislatures may adopt distinct articles of war, and confound His Majesty's forces, are in their nature inadmissible, because they annex a discredit to the supreme legislative authority, for the purpose, not of redressing its errors, but crippling its powers; and suggest an incapability where the law has given full power and indefinite credit; they in their consequence would divest Parliament of its attributes, or they would suppose the English Parliament capable of governing the army in England, but the Irish Parliament incapable of governing the army in Ireland; they would, instead of moulding the army to the constitution, shape and torture the principles of the constitution to the maxims of the army; they would continue an army in peace against the principles of the constitution, and give up all power over that army to establish unity of discipline; they would, in short, reject every supposition that the King is incapable of abusing, or the Parliament of exerting, legislative authority. This argument, far from applying to the present case, as tending to unity of discipline, makes a material difference between the armies of both countries: the army in England is parliamentary, the army in Ireland is royal; the King in one depends on his Parliament for marching, accommodating, and governing his army; in the other, he may march, accommodate, and billet, independent of Parliament. In the one country there is a constitutional, in the other an unconstitutional military establishment: the army accommodated to the one, resembles the constitution of England, in the other it resembles the constitution of France: to say that these institutions are the same, because the manual cannot vary, is trifling pedantry; they materially differ. This argument, which is neither constitutional nor applicable, is the branch of an old principle that now cannot be avowed, — that the regulation of the army should belong to the British Par-

liament. I allow the argument as to similarity of discipline, but it puts an end to similarity of every thing else, rights or privileges: we should, therefore, be very cautious how we admit into our country the language of imperial armies, for every thing may be called imperial: trade may be called an imperial consideration, and the change of the name introduces into this country the legislature of Great Britain.

Conceive any set of men deliberating, and at once parting with the greatest and most important power the constitution knows, or fears, for ever. Not a grant of 100,000l., but a great branch of legislative authority, — a portion of their own life: when acts are perpetual, they are regulations for the subject, not powers to the crown; when a crime is made by act of parliament, the law is often perpetual, but when a power is entrusted to the crown, the law is in its nature limited according to the nature of all trusts, and according to the nature of a limited monarchy; but if any power should not be entrusted to the King for ever, I say it is in that country which has given the revenue for ever, and a law to collect that revenue for ever, provided His Majesty does not call a parliament. I own I tremble at this departure from the ancient English maxim; I tremble at the example afforded by a set of men who have at this particular time dismembered their own assembly, and maimed parliament for ever; for if these men could at this time, with an armed country, a high reputation, opposed to a ministry in England depressed with public opinion, contending against France, Spain, and America; opposed to a ministry here weak, without address or treasure, — I say, if these men could yield in such circumstances all control over the government of the sword for ever, what compliances would not the same set of men make if the adversaries were dispersed, the treasury abundant, the British ministry at leisure, the British strength collected, and the Irish minister bold and expert. What compliances would not such a set of men make, encouraged too by the impunity attending their compliance upon this occasion, and the experience of popular inefficacy on questions the nearest to their interest? what treachery and what instances of folly may not be found? Sir, if I were to paint the image or symbol of a silly assembly, of political folly personified, I would draw her flourishing the sword at one moment, and surrendering it in the next. What may not the people of this country fear if their struggles against the British Parliament are by their own Parliament to be converted into a legal transfer of a perpetual tyranny vested in the Crown, if their struggles are to be quelled and chastised

by their own army, and their Parliament bought and humbled by their treasury, and the nation obliged to make good at a great and opprobrious expence for victories obtained over herself, those promises by which her representatives have been corrupted, the nation stigmatised, and the court vested with an unexampled and endless prerogative?

The exercise of power, — the use of public money, have been hitherto deemed the subject of corruption; but the power itself, — the perpetual dominion, have never been considered as subjects of bribery, because in such a case the Parliament yielding to such an influence, would be guilty, not of an abuse, but of treachery; they would have sold not the use of the power, but the power itself; it would be a perpetual alienation of a delegated power most criminal from its venality. These maxims are safeguards; in a corrupt age they are the only safeguards: whenever these maxims are departed from — when these maxims are bought up by the court, and in their place is established among the representatives of the people a lawless compliance, restrained by no jealousy, justified by no necessity, warranted by no example; in such a case I know not of any remedy except one, — the power which the people have reserved in the limitation of Parliament, in the octennial bill; timely warned and fully apprised of the mischief which must follow, of the disgrace which accompanies, and of the corrupt influence which produced the perpetual mutiny bill, they may make the immediate repeal of it a condition of future election, they may now in their different cities, &c. form a covenant never to vote for but strenuously to oppose the election of every man who does not support the repeal or limitation of this bill, as annexed to the money bill: but if the people should be so lost to their own interest, dignity, and efficacy, as to elect upon a principle of personal attachment those very men who have voted against their instructions, who have voted against the only short money bill which the court contested, who have voted against a declaration of right, against the modification of Poyning's law; those men who have voted for a mean and dangerous regulation of 9s. 2d. on British sugar, and for a perpetual mutiny bill; — if the people can be induced to return to parliament as their trustees these very men who have opposed their instructions, alienated their powers, and hazarded their manufactures; — if these very men shall add to this by opposing a repeal or limitation of the mutiny bill, and make their treachery perpetual; — if, I say, the people do this, their representatives will hereafter give them a great many fresh opportunities of showing their indulgence.

Consider that every question for supporting which they instruct their representatives, if not impressed on those they elect, will only raise the market of the House of Commons. Men, instead of obeying their instructions, will bring them to the Castle in their pocket, and extort from government for disobeying them. Every great question, — Poyning's law, the perpetual mutiny bill, the altered sugar bill, will be sold, and increase your debt instead of mending your constitution. If the powers of the Parliament over the army, the security of the plantation trade, the formation of the constitution, depend upon whether ten or twenty individuals are to be fed by the state, how certain must this nation fall! how low must she fall!

If, with all our volunteers, with the lively recollection of recent honours, and the quick sense of present disgrace, with a British ministry beset with all the nations in the world, we cannot restore to a future parliament its legal authority over the army; if, I say, corruption be fortified, and flushed by impunity, and by a military government rendered audacious, there is no nation where all liberty will not speedily expire: but I believe there is a public eye and a present justice, that will not suffer these things. The Irish Parliament may rue the perpetual mutiny bill as much as the British Parliament did the Middlesex election; and corruption may receive a blow that will stun her for a century.

The House divided on the amendment, *Ayes* 62, *Noes* 114; Majority against a limited mutiny bill 52.

List of Members who voted for a Perpetual Mutiny Bill.

Adderley, Thomas
Allen, Hon. Richard
Annesley, Hon. Richard
Bailie, James
Beresford, Right Hon. John
Birch, Robert
Blakeney, John
Brooke, Right Hon. Sir A. Bart.
Browne, Sir John
Browne, Hon. James
Burgh, Thomas Oldtown
Burton, Right Hon. W.
Burton, Wm.
Cary, Right Hon. Edward
Cavendish, James
Cavendish, Rt. Hon. Sir Henry
Chapman, Benjamin
Chapman, Wm.
Clements, Robert
Clements, Right Hon. Theophilus
Cobbe, Thomas
Coghlan, Thomas
Colville, Wm.
Coote, Chs. Henry
Conolly, Right Hon. Thomas
Corry, Arman Lowry
Cox, Richard
Cromie, Sir Michael, Bart.
Crosbie, Lord
Cuffe, James
Dawson, Arthur
Digby, Simon
Dillon, Robert
Foster, Right Hon. John
Fitzgerald, James
Flood, Sir Frederick, Bart.
Flood, Warden
Gamble, Robert
Gardiner, Luke
Green, Godfrey
Godley, John
Hamilton, Sackville

Hamilton, John
Hamilton, George
Hamilton, J. Stewart
Handcock, John
Heron, Rt. Hon. Sir Richard, Bart.
Hill, Sir Hugh, Bart.
Hoare, Joseph
Holmes, Peter
Howard, Hugh
Hunt, Edward
Hutchinson, Right Hon. J. H.
Hutchinson, R. H.
Jackson, Robert
Jephson, Robert
Knox, John
Langrishe, Sir Hercules, Bart.
Leigh, John
Loftus, Henry
Loftus, Arthur
Longfield, Richard
Lysaght, Hon. James
Lysaght, Nicholas
Mathew, Francis
May, Sir James, Bart.
Maxwell, Hon. James Barry
Mason, John Monck
Maunsell, Thomas
Meredyth, Henry
Molyneaux, Rt. Hon. SirCapel, Bart.
Montgomery, Sir Wm. Bart.
Montgomery, Wm.
Moore, Thomas
Moore, John
Nesbit, Thomas
O'Neill, John
Palmer, Sir Roger, Bart.
Parnell, John
Parnell, Sir John, Bart.
Pennefather, Richard
Pennefather, William
Pigott, Col. Thomas
Pomeroy, Henry
Pomeroy, Right Hon. J.
Pomeroy, Arthur
Ponsonby, James Carrigue
Rawson, George
Rowley, Clotworthy
Ross, Robert
Reilly, John
Scott, Right Hon. John
St. George, Thomas
St. Leger, Honourable Hayes
St. Leger, Honourable Richard
Southwell, Hon. Henry R.
Somerville, James
Tighe, Robert
Tighe, Edward
Townsend, Richard
Toler, John
Tottenham, Richard Loftus
Tottenham, Charles
Tottenham, Ponsonby
Tottenham, Charles
Tunnadine, John
Tydd, John
Uniacke, James
Uniacke, Robert
Uniacke, Robert
Ward, Hon. Edward
Wilson, James
Wood, Attiwell
Wynne, Owen, junior
Wynne, Right Hon. Owen

Teller for the Ayes, Cunningham, General

List of Members who, in 1780, voted against a Perpetual Mutiny Bill.

Agar, George
Alexander, Robert
Alexander, James
Archdall, Mervyn
Blackwood, Sir John, Bart.
Bolton, Cornelius
Brabazon, Hon. Wm.
Brownlow, Right Hon. William
Burgh, Right Hon. Walter Hussey
Carew, Robert Shapland
Clement, Doctor
Cope, Henry
Colclough, Sir Vesey, Bart.
Daly, Anthony
Dawson, Thomas
Deane, Joseph
Delvin, Lord
Dobbs, Conway, R.
Fitzgerald, Edward
Fitzgibbon, John
Finlay, John
Flood, John
Forbes, John
Forde, Robert
Fortick, William
Grattan, Henry
Harman, Laurence
Johnston, Sir Richard, Bart.
Kingsborough, Lord
Latouche, David
Lawless, Sir Nicholas, Bart.
Lowther, Gorges
Lloyd, John
Massey, Hon. Hugh

Montgomery, A. Monaghan
Montgomery, A. Donegal
Montgomery, G.
Mossom, Eland
Musgrave, Richard
Newenham, Sir Edward, Knight
Neville, Richard
Ogle, George
Ogle, William Meade
Osborne, Sir Wm. Bart.
Osborne, John
Prendergast, John
Preston, John
Preston, Joseph
Putland, George
Ram, Andrew
Ram, Humphreys
Ram, Stephen
Rowley, Hercules Langford
Smith, Thomas
Stewart, Sir Annesley, Bart.
Stewart, Robert
Stewart, James
Stratford, Hon. John
Stratford, Hon. Benjamin O'Neill
Warburton, James
Yelverton, Barry

Teller for the Noes, O'Hara, Charles.

CLOSE OF THE SESSION.

September 2. 1780.

SPEECH OF THE LORD LIEUTENANT (EARL OF BUCKINGHAMSHIRE.)

THE session of parliament closed this day, with the following speech from the Lord Lieutenant:

" My Lords and Gentlemen,

" I am happy at length to congratulate you on the conclusion of this session of parliament; though the important measures under deliberation must have made your attendance less irksome to you.

" If your long absence from your several counties has been productive of any inconvenience, such inconvenience is fully compensated by permanent and solid benefits, the successful consequences of your labours.

" Gentlemen of the House of Commons,

" I thank you, in his Majesty's name, for the liberal supplies you have granted; your cheerfulness in giving, and your attention to the ease of the subject in the mode of raising them, must be very acceptable to His Majesty: on my part, I assure you, they shall be faithfully applied.

" My Lords and Gentlemen,

" The satisfaction with which the heart of every Irishman must exult at the fair scene of prosperity now opening to this country, may equal, if not exceed, the glow of my private feelings: and whilst you applaud the conduct of Great Britain in removing the restrictions upon the trade of this kingdom, you cannot but particularly acknowledge the unequivocal demonstrations of her sincere affection, in admitting you upon the most liberal plan, to an immediate, free, and equal intercourse with her colonies.

" The wise and salutary laws which you have framed, naturally lead to the most beneficial enjoyment of that intercourse. And when I reflect on those great objects, and on your meritorious attention to the trade, agriculture, and manufactures of this

kingdom, so conspicuously manifested by the laws passed for granting ample bounties on the export of your corn, your linen, and your sail-cloth, by the premiums for encouraging the growth of hemp and flaxseed, and by the judicious provision for the better regulating of your manufactures, I feel a conscious satisfaction, that the commerce of this kingdom has been established upon an extended, firm, and lasting basis; and that Ireland must, in the course of her future prosperity, look back to this era, the labours of the present Parliament, and the diffusive indulgence of His Majesty, with a most grateful veneration.

"Your own discreet judgment will naturally suggest the expediency, when you return to your several counties, of impressing upon the minds of all ranks of men the various blessings of their present situation. Demonstrate to them, that every effectual source of commercial wealth is now their own, and invites that industry, without which the wisest commercial regulations remain a dead letter, and the bounties of nature are lavished in vain. Cherish such a spirit of industry, and convince them of the essential advantages they derive from their free and excellent constitution, the maintenance of every branch of which, in its just vigour and authority, can alone secure their liberties and preserve their happiness."

OPENING OF PARLIAMENT.

October 9. 1781.

THIS day the House met pursuant to prorogation, when the Lord Lieutenant (Earl of Carlisle) delivered the following speech from the throne:

"My Lords and Gentlemen,

"In obedience to His Majesty's commands, I meet you in parliament, as chief governor of this kingdom; and that I feel with diffidence and anxiety the weight and importance of the trust with which I am honoured, yet it is a matter of encouragement to my mind, that I arrive at a period peculiarly auspicious to Ireland. The substantial effects of those benefits which the wisdom and liberality of the British Parliament have lately communicated to this country, are already apparent in the increase of her manufactures, and the extension of her commerce. From the progress which has been made, notwithstanding the obstacles that industry must have suffered from a war, which extends itself over so great a part of the globe, it is but proper to expect, that every source of national employment and wealth will diffuse itself much wider, whenever the blessings of peace shall be restored.

"It gives me the sincerest pleasure to execute His Majesty's commands, by assuring you, in his royal name, of his determin-

ation to continue the most parental attention to the rising prosperity of this country, the true interests of which are, and must ever be, inseparable from those of Great Britain.

"His Majesty's domestic happiness has received an increase, and the protestant succession a further security, by the birth of another prince.

"Gentlemen of the House of Commons,

"Your last grants being nearly expired, it will now rest with your deliberation and prudence, to furnish such supplies as you shall deem adequate to the maintenance of public credit, the honourable support of His Majesty's government, and the safety of the kingdom.

"I have ordered the proper accounts to be laid before you; from these you will be made acquainted with the state of your revenues and expences, and will be enabled to judge what provisions may be suitable to the circumstances of your country, and the exigencies of the public service. If any measures can be devised, tending to improve the management of the finances, and to effectuate a more complete and more secure collection of the revenue, they will have my cheerful concurrence.

"My Lords and Gentlemen,

"Conscious that it is my indispensable duty to promote whatever may contribute to extend the advantages of civil society, I take the first occasion to call your earnest attention to the encouragement of your trade, and the improvement of your manufactures; and especially to the maturing and enforcing of your inferior police, as well by your deliberations, as by the influence of your counsels and examples, impressing upon the minds of the people a becoming reverence of the laws.

"The humanity and wisdom of those motives which influence your support of the protestant charter schools, as seminaries of true religion and honest industry, will continue to engage your regard.

"I am sensible also of the expediency and good policy of the encouragements, which are accustomed to be given, as well to the linen manufacture as to tillage, to the fisheries, the inland carriage and export of corn, and other great national objects.

"It will deserve, however, your best attention and vigilance to ascertain and enforce the strict and due expenditure of such sums as may be granted for these wise and benevolent purposes.

"His Majesty ardently wishes the happiness of his people of Ireland, in whose affection and loyalty he places the firmest reliance. And though I am not directed to call upon you for any extraordinary supplies, in this time of general hostility, when these kingdoms are exposed to an unnatural and dangerous combination of enemies; I have not the smallest doubt, that I shall be enabled to assure His Majesty of your cordial disposition to give him every assistance compatible with your means and circumstances.

"No event could more contribute to the public security, than the general concurrence with which the late spirited offers of

assistance were presented to me, from every part of this kingdom; and I am fully convinced, that if the necessity had arisen, it was in my power to have called into action all the strength and spirit of a brave and loyal people, eager, under my direction, to be employed in aid of His Majesty's regular forces for the public defence.

"I trust that every part of my conduct will demonstrate how much it is the wish of my heart to engage your confidence; I shall claim it only in proportion as I shall be found to deserve it, by an unwearied endeavour to promote the prosperity of Ireland: and I am sensible, that this is the best method of recommending my services to our sovereign, and of obtaining your concurrence towards the ease and honour of my administration."

Mr. O'Neill then moved the following Address to His Majesty, which was agreed to *nem. con.*

"*Most* gracious Sovereign,

"We, your Majesty's most dutiful and loyal subjects, the Commons of Ireland in Parliament assembled, approach your Majesty with unfeigned and heartfelt expressions of duty, loyalty and attachment to your Majesty, for having placed in the government of this kingdom a nobleman, from whose cultivated talents, experienced abilities, and known virtues, we have every reason to expect that the happiness of Ireland will be secured and increased. The great and substantial benefits which have been communicated to this country through the benign influence of your Majesty's love for your subjects, and the wisdom and liberality of the British Parliament, are already felt in the increase of our manufactures, and the extension of our commerce; and we may reasonably expect farther facilities to the exertion of industry, and a farther diffusion of national employment and wealth, when the blessings of peace shall be restored to the world. The gracious assurances of your Majesty's royal determination to continue the most parental attention to the increasing prosperity of Ireland, cannot but impress upon our minds the warmest sensations of gratitude; and we feel the clearest conviction that the mutual security and strength of your Majesty's kingdoms can never be promoted but by the spirit and effect of that policy, which considers their true interests as ever inseparable.

"Deeply interested for our Sovereign's domestic felicity, we offer our congratulations to your Majesty upon the birth of another prince, and consider every increase of your Majesty's family as adding security to that happy succession to which your Majesty's loyal subjects of Ireland have at all times shewn the most steady and inviolate attachment.

"Animated as well by our affections to your Majesty, as by our attachment to the essential welfare of our constituents, we shall, so far as the circumstances of the country will permit, with the utmost cheerfulness, grant such supplies as shall appear adequate to the maintenance of public credit, the honourable support of your Majesty's government, and the security of the kingdom; and we shall, without delay, apply our attention to whatever may

contribute to improve the management, or secure the collection of the public revenues.

"We acknowledge your Majesty's tender concern for the public welfare, in what has been recommended to us from the throne respecting the linen manufacture, tillage, the protestant charter schools, the corn bounties, the interior police of the kingdom, and other national objects, and we shall not fail on our part, in that regard which matters of such importance deserve.

"We are farther sensible of your Majesty's goodness in not having called upon your kingdom of Ireland for any extraordinary supplies in this time of general hostility; and your Majesty may be thoroughly persuaded of our earnest disposition to give every assistance, compatible with our means and circumstances, towards resisting and repelling the unnatural and dangerous combination of enemies to which your dominions are at present exposed. That the ardour with which the late offers of service were presented from every part of the kingdom, has afforded the most convincing proof, that the strength and spirit of your Majesty's faithful people are animated by the warmest loyalty towards your person and government; and we feel a conscious pride, that the character which this country must bear in the eyes of Europe, will tend to establish the glory of your Majesty's government, and the safety and happiness of this kingdom."

Mr. O'Neill then moved, and it was resolved *nem. con.* "That the thanks of this House be given to the volunteer corps of this kingdom for their exertions and continuation, and particularly for their spirited preparations against a late threatened invasion."

Mr. Yelverton then moved, and it was resolved *nem. con.* "That the Sheriffs of the different counties, and counties of cities and towns, do communicate this resolution to the several volunteer corps of this kingdom."

PERPETUAL MUTINY BILL.

MR. GRATTAN MOVES FOR LEAVE TO INTRODUCE HEADS OF A LIMITED MUTINY BILL.

November 13. 1781.

IN the last session, the mutiny bill, as altered in the English Privy Council by the insertion of a clause to render it perpetual, having been adopted by the Irish House of Commons, Mr. Grattan declared he would, in the ensuing session, move for its repeal, and on this day made his promised motion. What remains of his speech is as follows:

However astonishing it may appear, I rise in the 18th

century to vindicate Magna Charta, sanctified as it is by the authority of 600 years. I call upon gentlemen to teach British privileges to an Irish Senate. I quote the laws of England, first, because they are laws; secondly, because they are franchises, and they are the franchises of Irishmen as well as of Englishmen. I am not come to say what is expedient; I come to demand a right, and I hope I am speaking to men who know and feel their rights, and not to corrupt consciences and inferior capacities. I beg gentlemen to tell me why, and for what reason, the Irish nation was deprived of the British constitution; the limitation of the mutiny bill was one of the great hinges of the constitution, and ought it then to be *perpetual* in Ireland? No man could doubt as to the point of right respecting the army. I could refer to the opinions of the greatest men who have been the ornaments of the British senate on the subject of standing armies: they are against the law of the land. I will even resort to the question of *necessity*. We want not an army as Great Britain does; for an army is not our protection: we keep up an army only to strengthen the arm of prerogative; and in the hour of danger, this boasted army is not found at home to support you. Was your army your protection when Sir Richard Heron told you, *you must trust to God and your country?* You want it not for defence, you want it not for ambition; you have no foreign dominions to preserve, and your people are amenable to law. Our duties are of a different nature, — to watch with incessant vigils the cradle of the constitution; to rear an infant state, to protect a rising trade, to foster a growing people: among all the varieties of sectaries and of religions, every thing here is unanimity; the new world has overturned the prejudices of the old; it has let in a light upon mankind, and the modern philosophy has taught men to look upon each other as brethren, not as enemies. We are free, we are united, — persecution is dead; the protestant religion is the child of the constitution, the presbyterian is the father, the Roman catholic is not an enemy to it: we are united in one great national community. What was our situation formerly? We were a gentry without pride, and a people without privilege; every man was convinced of his rights, but till lately every man had neglected them. The British constitution lay upon the ground like a giant's armour in a dwarf's custody: at length the nation asserted itself, and though the declaration of rights was not carried, which I proposed as a measure safe and innoxious, yet our spirit made us a nation. British supremacy fell upon the earth like a spent thunderbolt: the minister feared to look at it; the people were fond to touch it.

Yet, though we have no necessity for an army, and have asserted our freedom, we have followed that assertion by erecting martial law, and a perpetual dictator for ever. What objection can possibly be started in taking away from the public mind that source of jealousy which must arise from placing the army in the hands of this perpetual dictator. It is upon English principles that I oppose the mutiny act, because I am certain that the bold experiment of making it perpetual will not be attempted by the most desperate advocate for prerogative in that nation. Situated as the Irish now are, without a declaration of rights, what can they hope to be but the constant prey of unresisted violence, and the dull objects of thanking stupidity. I laugh at the argument that this law is the charter of our freedom. Is the 6th of Geo. the First to be repealed? if so, why does not the minister come forward and declare our rights. No, all is mystery, all is silence; no remonstrance has been made to the Sovereign; no steps have been taken in this momentous matter, and every thing is dark on a subject of such infinite importance. Besides, the present mutiny law is defective, there is no enacting part, and articles of war are become the law of the land, by which there is no safety left either to England or Ireland: we have suffered an armed prerogative to issue out of a claim of right.

Besides, the power of the purse is given up already by the hereditary revenue, that original sin of your ancestors which visits you from generation to generation. In the year 1751, the expences of the army did not come within the produce of the hereditary revenue: since that period expence has been heaped upon expence, and the corrupt extravagance of ministers has accumulated expence, instead of adopting a retrenchment in the national expenditure.

The brood that gathers upon the golden wheels of influence, the hirelings of prostitution, always come forward to oppose every measure that can be offered from this quarter for the good of the nation: they are ever ready to swell the tide of influence, and ever ready to support the unconstitutional aims of a mercenary power. This is a very alarming consideration to those that love liberty better than the profits of office; in short, we have added the tide of power to the sea of influence, and have bid majesty to govern by either. The power of the purse you have long lost; you have now lost the power of the sword. The question is, will men prefer a biennial to a perpetual mutiny bill? will men lay their hands upon their hearts, and decide the question?

What avails it that you imagine you are vested with full power to make articles of war for the regulation of your own

army: the British minister denies that power; and this act is not the act introduced by my hon. friend, (Mr. Bushe;) this is an act of prerogative, a monstrous act of power, sent here to beat down the barriers of the constitution. "In framing articles of war adapted to the constitution, I am afraid of nothing but your irresolution, your timidity, and your fears. Let me, then, conjure you to speak the language of legislators, — reconceive this act, and make it not merely the child of your origination, but of the constitution.

Suppose that a company of British merchants should petition an English Parliament to restrain your trade again, and that the requisition should be acceded to, what would you do, without any resources to support your right? Without a navy, you could not resist such a mandate, and every idea of coping with such tyranny would be in vain, when you have resigned the sword. When two-thirds of your revenue are granted in perpetuity, the power of Parliament cannot preserve the free trade of this kingdom. Be assured, that England will never grant to your meanness what she refuses to your virtue. In the infancy of this very act, why did not the advocates of its present form come forward and propose it a perpetual mutiny bill? No; they knew such language would ill suit the ears of Parliament, as it then stood disposed in the public service.

If you are competent to regulate your commerce, why not competent to regulate your own army? Commissioners have been sent to America, to offer a branch of the British empire, in arms against the parent state, unconditional terms to tax themselves and regulate their own army. Two of the commissioners have been sent over to govern this kingdom. Will His Excellency, or the Right Honorable Gentleman his Secretary, say, that Ireland is not entitled to the terms offered to America? that the loyal and affectionate sister of England is not entitled to the indulgence held out to the enemy of England — to the ally of France? It is impossible. I therefore move, "That leave be given to bring in heads of a bill to explain, amend, and limit an act, entitled an Act for the better accommodation and regulation of His Majesty's army in this kingdom."

The motion was supported by Mr. Flood, Mr. Forbes, Mr. J. Corry, Mr. G. P. Bushe, Mr. Ogle, Mr. Daly, Mr. Mossom, Mr. Hussey Burgh, Mr. Yelverton, and Mr. Fitzgibbon: they maintained, that the mutiny bill was contrary to the principles of the constitution; and, in the present instance, was an attack on the dignity of Parliament, and on the independence of the nation. It was opposed by Sir H. Langrishe, Mr. Gardiner, Serjeant Carleton, Mr. Jephson, Mr. Eden, the Provost, Serjeant Fitzgerald,

Mr. Foster, and Mr. Toler: they stated, that the mutiny law had subsisted for 88 years, and was not, in the present instance, more detrimental to the constitution than it had been hitherto; it was not an attack upon the freedom of the nation, and, whether perpetual or biennial, occasioned no difference.

The House divided, for the motion 77, against it 133; *Majority* against Mr. Grattan's motion, 56.

Tellers for the Ayes, Mr. Grattan and Mr. Denis Daly.
for the Noes, Mr. Gardiner and Mr. Jephson.

A List of Members who voted for leave to bring in the Heads of a Bill to repeal the Perpetual Clause in the Mutiny Bill.

Alexander, James
Alexander, Robert
Bagenall, Beauchamp
Bernard, Francis
Bernard, James
Blennerhasset, Arthur
Bolton, Cornelius
Bradstreet, Sir Samuel, Bart.
Brooke, Henry Vaughan
Brownlow, Rt. Hon. Wm.
Burgh, Rt. Hon. Walter Hussey
Bushe, Gervase Parker
Cary, Rt. Hon. Edward
Carew, Robert Shapland
Chapman, Benjamin
Christmas, William
Cobbe, Thomas
Colclough, Sir Vesey, Bart.
Conyngham, William
Cooper, Right Hon. Joshua
Creighton, Hon. Abraham
Crofton, Edward
Crosbie, Arthur
Daly, Denis
Daly, Anthony
Deane, Joseph
Delvin, Lord
Dillon, Robert
Fitzgerald, Edward
Fitzgibbon, John
Finlay, John
Flood, Right Hon. Henry
Forbes, John
Ford, Robert.
Fortick, William
Grattan, Henry
Godley, John
Harman, Laurence Harman
Harstonge, Sir Henry, Bart.
Johnston, Sir R. Bart.
Kingsman, William Long
Kingsborough, Lord
Latouche, David
Lloyd, John
Lowther, Gorges
Lindsey, Robert
Maunsell, Thomas
Maxwell, Hon. J. J. Bart.
Metge, Peter
Monsell, W. T.
Mossom, Eland
Molyneaux, Sir Capel, Bart.
Montgomery, George
Montgomery, Alex. Monaghan
Montgomery, Nathaniel
Newenham, Sir Edward, Knt.
Neville, Richard
O'Brien, Sir Lucius, Bart.
Ogle, William Meade
Ogle, George
O'Hara, Charles
Parsons, Sir William, Bart.
Prittie, Henry
Ram, Andrew
Rowley, Clotworthy
Rowley, Hercules Langford.
Singleton, Sydenham
Stewart, Sir Annesley, Bart.
St. George, Sir Richard, Bart.
Stuart, James
Stratford, Hon. Benj. O'Neal
Stratford, Hon. John
Walsh, David
Ward, Hon. Edward
Ward, Hon. Robert
Warburton, John
Yelverton, Barry

List of Members who voted against leave to bring in the Heads of a Bill to repeal the perpetual Clause in the Mutiny Bill.

Adderley, Thomas
Allen, Hon. Richard
Annesley, Right Hon. Richard
Aylmer, Sir Fitzgerald, Bart.
Bailie, James
Beresford, Right Hon. John
Birch, Robert
Blaquiere, Right Hon. Sir John
Blakeney, John
Blakeney, William
Blakeney, Theophilus
Browne, Hon. James
Browne, Hon. George
Browne, Sir John, Bart.
Brooke, Rt. Hon. Sir A.
Burton, William
Burke, Hon. John
Burgh, T. Chapelizod
Burgh, T. Old Town
Caldwell, Andrew
Cane, Lieut.-col. Hugh
Carleton, Hugh
Cavendish, Right Hon. Sir H. Bart.
Caulfield, William
Chapman, William
Chatterton, James
Clements, Robert
Clements, Right Hon. H. T.
Conyngham, Right Hon. W.
Cope, Henry
Corry, Isaac
Copinger, Maurice
Colville, William
Coote, Charles Henry
Crookshank, Alexander
Cromie, Sir Michael, Bart.
Cuningham, Lieut.-gen. R.
Cuffe, James
Dawson, Arthur
Digby, Simon
Dillon, John
Eden, Right Hon. William
English, William Alexander
Fitzgerald, James
Fitzgerald, Robert
Foster, Right Hon. John
Foster, John Thomas
Flood, John
Flood, Warden
Gamble, Robert
Gardiner, Luke
Gleadowe, Edward
Greene, Godfrey
Hamilton, Sackville
Hamilton, George
Hamilton, Sir T. S. Bart.
Hill, Sir Hugh, Bart.
Holmes, Peter
Hoare, Joseph
Handcock, William
Handcock, John
Hutchinson, Richard Hely
Hutchinson, Right Hon. J. H.
Hutchinson, John H.
Howard, Robert
Hunt, Edward
Jackson, Rt. Hon. Richard
Jephson, Anthony
Jephson, Denham
Jephson, Robert
Jones, Rt. Hon. Theophilus
King, Charles
King, Edward
Knox, Thomas
Knox, John
Lambert, Charles
Langrishe, Sir Hercules, Bart.
Lawless, Sir Nicholas, Bart.
Leigh, John
Longfield, Mounteford
Longfield, Richard
Loftus, Henry
Loftus, Thomas
Lysaght, Nicholas
Mason, John Monk
Mathew, Francis
May, Sir James, Bart.
Meredyth, Henry
Moore, John
Morris, Lodge
Musgrave, Richard
Nesbitt, Thomas
O'Callaghan, Cornelius
Ogilvie, William
Osborne, Right Hon. Sir Wm. Bart.
Osborne, Thomas
Parnell, John
Pennefather, Richard
Pigott, Lieut.-col. Thomas
Pomeroy, Arthur
Pomeroy, Henry
Ponsonby, James Carrique
Ponsonby, George
Pratt, James
Rawson, George
Reilly, John
Richards, Fitzherbert
Roche, Sir Boyle, Bart.

Ross, Robert
Scott, Rt. Hon. John
Sheridan, Charles Francis
Skeffington, Hon. Chichester
Skeffington, Hon. Henry
Smyth, Sir Skeffington, Bart.
Southwell, Hon. H. R.
Somerville, James
Stopford, Hon. Col. E.
St. Leger, Hon. Hayes
St. Leger, Hon. Richard
Swan, Ed. B.
Tighe, Robert
Tighe, Edward
Tonson, William
Tottenham, Charles
Tottenham, Charles
Tottenham, Charles
Tottenham, Ponsonby
Toler, John
Townsend, Richard
Trant, Dominick
Tunnadine, John
Tydd, John
Uniacke, James
Uniacke, Robert
Wood, Attiwell

RETRENCHMENT—EXPENCES OF THE NATION.

MR. GRATTAN MOVES FOR A COMMITTEE TO ENQUIRE INTO THE STATE OF THE PUBLIC EXPENCES.

December 7. 1781.

MR. GRATTAN rose to make his promised motion.—I will confine myself to a very few quantities, calculation is a dull subject: you have been often deceived by it; heavy in itself, it must be so particularly to you; who always find in the end, that the balance is against you; however, I entreat that you will not pay an idle attention to a subject necessary for your consideration, though painful to your patience.

The increase of the national debt is enormous, and ministers make a daily progress therein with the greatest indifference as to its ill consequences; the eventual succession of every new minister who came into the house, gave them a promise of retrenchment, but instead of that, they find a still increasing debt under the deceitful idea of ordinary expences.

Your debt, including annuities, is 2,667,600l.: of this debt, in the last fourteen years, you have borrowed above 1,900,000l., —in the last eight years, above 1,500,000l., and in the last two years, 910,000l. I state not only the fact of your debt, but the progress of your accumulation, to shew the rapid mortality of your distemper; the accelerated velocity with which you advance to ruin; and if the question stood alone on this ground, it would stand firm, for I must further observe, that this enormous debt is the debt of the peace establishment, not accumulated by directing the artillery of your arms against

a foreign enemy, but by directing the artillery of your treasury against your constitution — it is a debt of patronage and prostitution.

The next quantity I shall consider is the growth of your expences for the last fourteen years: I will consider all your expences, that you may see the whole of your situation; I will consider the expences of collecting the revenue, of bounties, of establishments, of extraordinary charges, and the interest of the public debt; and I say, on a comparative view of expences of two years ending lady-day, 1781, the increase in the latter was above 550,000l.; a sum astonishing, when you consider your real situation, and the proportion it bears to your wants; if you consider that the whole biennial revenue and estate of the nation is not 2,000,000l., and that the whole additional supply is not 520,000l.; so that the mere encrease of national expence in the course of fourteen years, has exceeded one-fourth of the nation's estate, and the whole of her additional duties. Let the Right Honourable Gentleman high in office, who calls these expences ordinary expences, who calls the supplying them by new loans, the ordinary supply, justify this enormous encrease; let him declare to what use this money has been appropriated; let him prove that the scale of the expence of government was too small in 1767; let him shew what exertions we have made by sea or land; let him produce some nobler monument, than secretaries provided for by Ireland, or than their creatures satiated by Ireland, or their supporters paid by Ireland, to justify this rapid accumulation. I can produce the record of Parliament to prove that in 1767, you thought your expences too great, for you refused the first proposition for an augmentation in 1767, and gave as a reason, that you were then overburthened; and in 1769, you complied with a second application upon a promise of reduction, which promise was broken; and in 1771, you resolved, that the then expences of government ought greatly to be retrenched, though incomparably less than at present.

I have considered the growth of your expences: I will next consider the growth of your revenues. You made, since 1767, two efforts to raise them, one in 1773, when you granted in new taxes about 180,000l., and another in the last session, when you granted what was estimated at near 300,000l. for the two years; but in our experience, it has produced something less than 50,000l.

The revenues of the two years ending 1781, *including* loan duties, and aided by new taxes, have produced 1,908,000l.; in the two years ending 1767, without new taxes, the

revenues, including the loan, produce 1,846,000l. Increase of revenue in the two years ending 1781, 60,000l. Increase of expences 550,000l. A sad disproportion this; the cause of it is obvious: while the House was adding tax upon tax, the minister was increasing place upon place, and pension upon pension. I can compare it to nothing else but that story of the Romans, who, in the very infancy of the republic being disturbed by a banditti, paid them a sum of money to go away; but shortly after, they found themselves surrounded by another banditti, who had heard the former transaction, and in consequence demanded a similar sum of money. We are governed by a succession of ministers, who have no interest in this country, but that of raising themselves from those difficulties to which they reduce the King and kingdom. I know not how it is, but at first we are charmed with them; every thing yields to the new seduction; we admire their affected consequence and their polite effrontery: they find in the private indulgence of the gentlemen of the country, public support; the nation becomes implicit, and from a course of bad and profuse policy, is periodically convulsed: we were so in 1779, and from distress, the effect of our bad policy, became *for that time* virtuous: the ministers felt that the country wanted a free trade, — she wanted every thing; and they were obliged to adopt a system of reform: its good effects were quickly visible, and the nation experienced a benefit. I speak of the session of 1779, with diffidence, because I had some share in its proceedings; I shall, therefore, only give it negative praise: I will say of the early part of that session, that no man then talked of the public with contempt, nor of liberty as a matter of speculation; nor did gentlemen of property affect to join government in the putting a negative on all constitutional questions. The secretary at that time left Parliament to itself, and the people to themselves; he did not (though he could not be called a man of literary abilities) pension a press to write against the liberty of the subject; he did not connect himself with the libellers of the constitution, nor was he himself a traducer of men whom he could neither corrupt nor answer; nor did he take into his venial hand a lifeless pen to propagate the poison of prostituted principles: but such times are over; we are now more aristocratic and abject, and we argue on public subjects, as we did before the freedom of our trade, with the same confidence and indifference.

I have stated the growth of your expence and of your revenues. I will state the excess of the latter; it is 481,000l. in the two last years. How will you supply such a deficiency?

Not by borrowing session after session on lotteries and loans, nor by adding to your taxes, for then you must nearly double your additional duties, which are little more than the deficiency; nor can you wait until the increase of population and manufactures, which certainly will increase, but will not increase with a rapidity sufficient to supply the biennial deficiency of 484,000l.

It was said in a former debate, that we were adequate to our present expence, and we were taught to believe, that the ability of the nation had, in the last year, greatly increased. I deny the fact. On examining the exports of the manufactures of cotton, woollen, and linen, we shall find the exports of the two former have been next to nothing, and the exports of the latter greatly declined: and on examining the import of cotton and woollen, we find the increase prodigious. The exportation of linen had last year fallen back 300,000l., and a balance of upwards of 200,000l. had come against the country in the importation of woollens: and on the whole, I do say, that the year 1781 was above half a million in these very articles less in your favour than in the year 1780, so much better was the non-consumption agreement than the free trade hitherto has been. The gentlemen, and particularly one Right Honourable Gentleman, has misstated our state of commerce, but he has been much more inaccurate in the state of our revenue; for I remember, in the last session, he stated the new taxes as adequate to produce 260,000l. in the two years, but in the experiment they have not produced 50,000l. He stated the new tax on sugars at 55,000l. a-year, which tax has not produced more than 20,000l. He stated the tax on wine at double the produce. He stated the old revenues at 100,000l. a-year more than the produce. He stated a saving under the heads of pensions and of exceedings, and also a new revenue by the establishment of a post-office under our own law, this promised saving, and this post-office would have amounted to 90,000l., which is a greater produce than all his taxes; and to show how apt the most intelligent man is to be deceived in a ministerial situation, when he speaks on the subjects of revenue, I will state a very remarkable transaction which relates to the Right Honourable Gentleman in Lord Buckingham's administration in 1777. A motion was made to resolve "that in every session of the present reign we had added to the public debt;" the Right Honourable Gentleman voted for the resolution, and gave this reason, "that Lord Buckingham's administration should be contrasted with his predecessors who had added to the public debt," inasmuch as, under Lord Buckingham, the practise of

an accumulating debt was to cease: but in the ensuing March, we borrowed 300,000l., and in the next session 610,000l. I state these things, not to reflect on the Right Honourable Member, but to shew the fallibility on the subjects of trade and revenue.

I have stated your expences as exceeding your income 484,000l., and as having increased in fourteen years above half a million. As to the application of your money, I am ashamed to state it; let the minister defend it — let the minister explain that system of prodigality that has sapped the independence, and destroyed the liberties of a free people. In the heyday of free trade, administration promised retrenchment, but when that passed, retrenchment was heard of no more, nor was any economy adopted. The men who opposed the constitution of the country think themselves entitled to the spoils. Let the minister defend the scandal of giving pensions directly or indirectly to the first of the nobility, with as little honour to those who receive as to the King who gives: let him defend the minute corruption, which, in small bribes and annuities, leaves honourable gentlemen poor, while it makes them dependent. When you go into the committee, you will find abundance of matter; the biennial charge of barracks, equal to the lodging-money of the army; and you will find the resident army not more than 9000, though stated at some thousands more; you will find waste as well as corruption; you will find the mere expence of furnishing the castle ridiculously extravagant: but I should be ashamed to enter minutely into these items; let a committee be appointed.

In the year 1778, the streets, like the treasury, swarmed with beggars; the virtue and the resolute spirit of Parliament gave birth to industry and revived manufactures; but since that time, there has been as extraordinary a transition, and we may almost ask, what political or chymical scheme can revive the spirit of the constitution. The speech from the throne, and the words of the minister have netted us into confidence: no extraordinary demands are to be made; the exigencies of the state are alone to be provided for, and yet the same excess is continued without an idea of retrenchment, at the time that the trade of the kingdom is evidently on the decline. I shall only ask, if this can be called the highest pitch of national prosperity, or whether it is not the direct means of driving the people into the same situation; that in 1779 compelled us to demand a free trade? and though it is granted, yet the manufactures are in so poor a state that the nation must support them, — not they the nation: like the unhappy Roman, who drew nourishment from his own daughter; government wished

to draw support from the free trade, and have not prudence to wait until it has grown to maturity. I confess that the seed of a free trade is sown, and rejoice that the Portugal business is happily terminated; but I desire to know, if ministers are acquainted with any progress that can ripen and bring to maturity the fruits of this trade, without waiting the operation of time; and if not, whether anticipating the provision of their dependence, and waiting afterwards in hopes of happiness that has passed away, is not a vain expectation, like the Jews waiting for the coming of the Messiah? Mr. Grattan adverted to the venality, and expence, and enormity of the military departments, the barrack, staff, and ordnance; the greatness of the civil establishment, sinecures, and pensions, and the prodigal expence of collecting the revenue. He then adverted to the late administration, and the promise of Sir Richard Heron not to add or supply a pension, which promise had been broken. He addressed himself to the present administration, to warn them against expensive measures, and from falsely estimating the abilities of the nation: he inveighed against public profusion and expence, and concluded by moving, "that a committee be appointed to enquire into the state of the public expences, and the best means of retrenching the same."

The motion was supported by Mr. Martin, Mr. Brownlow, Mr. Ogle, Mr. Forbes, Mr. Flood, Mr. Dillon, Sir Lucius O'Brien, and Sir Nicholas Lawless: their chief arguments were, that the expences of government were under no restraint whatever, the pensions had doubled since 1757, when at that period they exceeded the whole of the civil establishment, and had been voted by the House to be a grievance, though at the period when the Lord Lieutenant told the people that government could not defend them, and that they must defend themselves. The country was paying for an army of near 14,000 men: they had just voted an address to His Majesty tendering their support; and how could they support England unless some mode of retrenchment was adopted.

The motion was opposed by Mr. Foster, Sir H. Langrishe, Mr. R. H. Hutchison, Sir H. Cavendish, and Mr. Eden. They stated that there had been a decrease in the expences of the country of late years, in particular in the military department; that since 1778 the establishment had been relieved of a great number of troops; that the revenues were not applied for the personal use of the sovereign; they had not been so applied within the last century. Edward the Third had got 30,000l. a-year from Ireland; Charles the First from 40 to 50,000l. a-year; and Charles the Second had drawn very large sums from this country; that none had been drawn since; so that on this head there could be no complaint.

That lately the country had received great benefits; the abolition of privy council money bills, octennial Parliaments, and free trade, were great objects to have obtained, and this motion argued a distrust of government.

The House divided on Mr. Grattan's motion. Ayes 65, Noes 143; Majority against the motion 88.

Tellers for the Ayes, Mr. Grattan and Mr. George Ogle.
for the Noes, Sergeant Fitzgerald and Mr. St. George.

MONEY BILLS.

December 22. 1781.

SPEECH OF THE RIGHT HONOURABLE EDMUND SEXTON PERRY, SPEAKER OF THE HOUSE OF COMMONS, AT THE BAR OF THE HOUSE OF LORDS, ON THE 22ND, OF DECEMBER, 1781, ON DELIVERING THE THREE MONEY BILLS.

" May it please your Excellency,

" Though no material change in the circumstances of this kingdom has taken place since the conclusion of the last session, it ought to be, and I am persuaded it is, a subject of general satisfaction to reflect, that amidst the horrors of war it has shared none of its calamities; that the public tranquillity has been preserved within, and that the dangers with which it was threatened from without, have been averted by His Majesty's paternal care, by your Excellency's vigilance and judicious conduct, and by the voluntary and virtuous exertions of its own loyal and brave inhabitants; nor is the future prospect less pleasing than the view of what is past. Several attempts have been lately made, and with some success, to establish in this kingdom new manufactures, to revive and improve the old, and to extend its commerce. The lower orders of the people are recovering from their former indolence and ignorance; and the spirit of enterprize and of industry, — the great spring of national happiness, begins to diffuse itself through the nation.

" From these dispositions in the people, and the generous encouragement given to every useful undertaking by those of higher condition, it seems not too much confidence to hope, that the time is not far distant when this kingdom will emerge from that state of inaction and languor into which it was sunk; and that it will assume that rank in the empire which belongs to it, and become one of its principal pillars. The Commons, sensible of the benefits they enjoy under your Excellency's just and wise administration, have, with unusual dispatch, granted all the supplies which were required, and have also made provision for the discharge of an arrear of 300,000l. incurred since the last session; and though they have not imposed on the subject any new or additional tax,

except for the purposes of regulation, they are not without hopes that the revenue will hereafter prove adequate to the public service; and that the augmentation made by such regulation, and the reformation already commenced in the collection and management of it, will prevent any future deficiency."

ROMAN CATHOLIC BILL.

MR. GARDINER MOVES TO INTRODUCE A BILL FOR THE RELIEF OF THE ROMAN CATHOLICS.

December 25. 1781.

MR. GARDINER had, on a former day, given notice that he meant to bring in a bill for the relief of the Roman Catholics. He now stated that it was his intention to have it printed at his own expense, and delivered to the members, but that he would not bring it in till after the recess. Mr. Montgomery was of opinion that some of the laws against the Roman Catholics were a disgrace to the statute-book; and he thought it would be advisable to go into a committee in order to judge what laws ought to be repealed and what retained.

Mr. GRATTAN said, I rise only to observe, that it is granted on all sides that some indulgence shall be conceded to the Roman Catholics; the only difficulty is how that indulgence shall be conceded; for my part, I wish the House to do it handsomely; for the merits and the sufferings of the Roman Catholics claim it from us; we are not to judge of them by their creed — their actions shew that they depart from it, or that they do not carry its principles into life. The good disposition of human nature and the hurry of human affairs, leave no time to enter into disquisitions concerning mysterious points of doctrine; and as religious controversy is held in contempt, so the rancour of bigotry is despised; a philosophic disposition seems to pervade every country, and here it should be cultivated. The Roman Catholics had not been supposed attached to the constitution, and with good reason, because they were known not to enjoy its benefits: yet that Roman Catholics may be attached to a constitution they can enjoy, is obvious; for it was Catholics that wrested Magna Charta from King John; and there were two late very trying occasions on which they behaved with great propriety. One was, when the country was threatened with an invasion; the

other when, in the last session, such very great exertions were made to recover our free trade and constitution, their behaviour was then in the highest degree praiseworthy: they did not catch the opportunity to make terms, but liberally and unconditionally joined with their Protestant fellow subjects in every effort to serve their country: by this, and by a continual course of good behaviour, they have merited the favour of Parliament; but this favour ought to be granted with some regard to the prejudices of Protestants; for even Protestants (I speak with respect and reverence of the faith which I possess) have their prejudices.

With some regard to the prejudices of Presbyterians, Parliament should endeavour to make the indulgence agreeable to every party, and beneficial not only to the Catholic, but to the nation; it should be the business of Parliament to unite every denomination of Irishmen in brotherly affection and regard to the constitution. It has been well observed by a gentleman of first-rate understanding, a member of the British parliament, that this country could never prosper till its inhabitants were A PEOPLE: and though the assertion may seem strange, that three millions of inhabitants in this island cannot be called a people, yet the truth is so, and will so continue till the wisdom of Parliament shall unite them all by the bands of social affection; then, and not till then, the country may hope to prosper.

February 15. 1782.

On the order of the day for going into a committee for the bill being called for, Mr. Fitzgibbon said, that the first clause appeared to him to be a repeal of the Act of Settlement, the Act of Forfeiture, and the Act of Re-assumption, and wished for delay, in order that these points might be examined.. This objection coming from legal authority, excited no small degree of surprise and alarm.

Mr. GRATTAN then said, If the bill is incomplete, it is no cause for not going into a committee, — it is the very cause that renders a committee necessary; but if we never go into a committee till we are all agreed as to the merits of the bill, we shall never go into one at all: the committee is the place for removing any impropriety that may be in the bill, and making it perfectly agreeable; not that I see any cause for the apprehensions entertained by the honourable gentleman, but, if they have force, the committee is the place to consider them. The bill has met with great delay and interruption; and I think it trifling, first, to agree to go into a committee upon the whole of it, and then to object to a com-

mittee, because it is said there is some defect in a particular clause; but the objections made to this clause are very ill founded: the clause declares, that no person shall be deemed a Papist within the meaning of any act hitherto made, who shall take the oaths prescribed. Now, as it is not likely that any person who forfeited under Charles II. shall take an oath to George III., there is no great fear of any disturbance to the present possessors from that quarter. The sweeping clause, then, Sir, (as the honourable gentleman calls it,) is not a clause from which dispute can arise: it is a clause of union and incorporation; it says, "Countrymen, that have been so long separated from us, we hold out our hands to you; we are willing to become one people; we are willing to grant you every privilege compatible with the constitution." It is much better for us to incorporate than disunite, then why should we give as if we feared our own generosity: let us grant with unanimity, and it will be received with gratitude. We are not going to repeal franchises of our own, but pains and penalties affecting our countrymen. And will you tell the Catholics that you are afraid of taking away pains and penalties? that you are afraid to make such provisions as will not insult their faith, or inflict pains and penalties on their persons?

February 18. 1782.

On this day the House went into the committee on the Roman Catholic Relief Bill. Mr. Gardiner stated, that the bill had been carefully examined by the ablest legal authorities, and that Mr. Fitzgibbon's objections to the clause were considered as having no foundation whatever.

Mr. GRATTAN said, I approve of the clause, not only on account of the Roman Catholics, whom I love; but on account of the Protestants, whom I also love, and whose interest and prosperity I wish to promote. I agree in the propriety of the clause, because I would not have a vestige of pain or penalty remaining against our loyal fellow-subjects; and if gentlemen should even oppose this clause now, yet the time will come when the necessity of it will be apparent. We all agree in the expediency of granting to the Roman Catholics property; and we agree in granting to them a right of acting freely in religious matters; and yet we say to the Roman Catholics, "be ignorant, — be bigots;" for, while we prevent them receiving a liberal education at home, we not only say this, but enforce the command with our utmost power: we deny them education, and yet we wish them to be liberal, and we wish them to be learned; which, if the laws were executed against them,

they can only be through divine inspiration, because they are deprived of every human means.

February 20. 1782.

On this day the House went into a committee on the bill, when the privileges proposed to be restored to the Roman Catholics were gone into at length: they went, 1st, to the enjoyment of property; 2dly, the free exercise of their religion; 3rdly, education; 4thly, marriage; 5thly, self-defence. The first amendment moved was, That Catholics should be empowered to take, purchase, hold, and inherit estates in fee simple: this clause was opposed by Mr. Rowley, Mr. St. George, and Mr. Wynn; it was supported by Mr. Denis Daly, Sir Hercules Langrishe, and Mr. Flood, who said, that although the Catholics should be allowed to purchase lands, they should not be allowed to possess any power in the state; that the House should distinguish between the rights of property and the rights of power; "though I would extend toleration to the Roman Catholics, yet I would not wish to make a change in the state, or enfeeble the government."

Mr. GRATTAN said, I object to any delay which can be given to this clause. We have already considered the subject on a larger scale, and this is but a part of what the clause originally contained. We have before us the example of England, who, four years ago, granted Catholics a right of taking land in fee. The question is merely, whether we shall give this right or not; and if we give it, whether it shall be accompanied by all its natural advantages. Three years ago, when this question was debated in this House, there was a majority of three against granting Catholics estates in fee, and they were only allowed to take leases for 999 years. The argument then used against granting them the fee was, that they might influence electors. It has this day been shewn, that they may have as effectual an influence by possessing leases of 999 years as they can have by possessing the fee. At that time we might have been somewhat prejudiced against granting Roman Catholics estates in fee; but their conduct since that period should fully convince us of their true attachment to their country. When this country had resolved no longer to crouch beneath the burden of oppression that England had laid upon her, when she armed in defence of her rights, and a high-spirited people demanded a free trade, did the Roman Catholics desert their countrymen? No; they were found among the foremost. When it was afterwards thought necessary to assert a free constitution, the Roman Catholics displayed their public virtue; they did not endeavour to take advantage of your situation; they did not endeavour to make

26969

terms for themselves, but they entered frankly and heartily into the cause of their country, judging by their own virtue that they might depend upon your generosity for their reward: but now, after you have obtained a free trade, after the voice of the nation has asserted her independence, they approach this House as humble suppliants, and beg to be admitted to the common rights of men. Upon the occasions I have mentioned, I did carefully observe their actions, and did then determine to support their cause whenever it came before this House, and to bear a strong testimony of the constitutional principles of the Catholic body. Nor should it be mentioned as a reproach to them, that they fought under the banner of King James, when we recollect that before they entered the field, they extorted from him a magna charta, a British constitution.

In the reign of Charles the Second, a committee, consisting of Papists, Protestants, and Presbyterians, were sent from this country to prosecute Lord Strafford. We find them perfectly agreeing in the object of their mission, and, indeed, when men begin to differ upon principles of religion, it is because they have no other great object to engage their attention. We cannot give the people of Ireland a *common faith*, but we can give them a *common interest*.

In 1779, when the fleets of Bourbon hovered on our coasts, and the Irish nation roused herself to arms, did the Roman Catholics stand aloof? or did they, as might be expected from their oppressed situation, offer assistance to the enemy? No; they poured in subscriptions for the service of their country, or they pressed into the ranks of her *glorious volunteers*.

It has been shewn that this clause grants the Roman Catholics no new power in the state. Every argument, therefore, which goes against this clause, goes against their having leases for 999 years; every argument which goes against their having leases of 999 years, goes against their having leases at all; and every argument which goes against their *having property*, goes against their having *existence* in this land.

The question is now, whether we shall grant Roman Catholics the power of enjoying estates, — whether we shall be *a Protestant settlement* or *an Irish nation?* whether we shall throw open the gates of the temple of liberty to all our countrymen, or whether we shall confine them in bondage by penal laws? So long as the penal code remains, we never can be a great nation. The penal code is the shell in which the Protestant power has been hatched, and now it has become a bird, it must burst the shell or perish in it.

In Holland, where the number of Roman Catholics is

comparatively small, the toleration of their religion is an act of mercy to them; but in this country, where they form the great bulk of the inhabitants, it is an act of policy, an act of necessity, an act of incorporation. The question is not, whether we shall shew mercy to the Roman Catholics, but whether we shall mould the inhabitants of Ireland into a *people:* for so long as we exclude Catholics from natural liberty and the common rights of men, we are not a *people: we may triumph over them, but other nations will triumph over us.* If you love the Roman Catholic, you may be sure of a return from him; but if you treat him with cruelty, you must always live in fear, conscious that you merit his just resentment. Will you then go down the stream of time, the Roman Catholic sitting by your side unblessing and unblessed, blasting and blasted? or will you take off his chain, that he may take off yours? will you give him freedom, that he may guard your liberty?

In Ireland, as connected with England, the indulgence we wish to give to Catholics can never be injurious to the Protestant religion, — that religion is the religion of the state, and will become the religion of catholics if severity does not prevent them. *Bigotry may survive persecution, but it never can survive toleration.* But gentlemen who speak of the enormities committed by Catholics groaning under a system of penal laws, do not take into account the enlightening and softening of men's minds by toleration, nor do they consider that as they increase in wealth they will increase in learning and politeness.

I give my consent to the clause in its *principle, extent,* and *boldness;* I give my consent to it as the most likely means of obtaining a victory *over the prejudices of Catholics, and over our own;* I give my consent to it, because I would not keep two millions of my fellow subjects in a state of slavery, and because, as the mover of the *declaration of rights,* I would be ashamed of giving *freedom* to but six hundred thousand of my countrymen, when I could extend it to two millions more.

The bill was supported by Mr. Yelverton, the Provost (Mr. Hutchinson), Sir Hercules Langrishe, Mr. Denis Daly, Mr. Hussey Burgh, Sir Boyle Roche, Mr. Bushe, Mr. Ponsonby, Mr. Brownlow, and Mr. Walshe. It was moved by Mr. Rowley, that the consideration of the heads of the bill be adjourned until the 23d of October, 1788. The House divided upon the question of adjournment: Ayes 56, Noes 145; Majority against the adjournment 89. The clause was carried without a division. This bill was subsequently modified in its several stages, and on the dissolution of the ministry, and accession of the opposition to power, it finally passed into a law. By it the Roman Catholics were enabled to acquire land by purchase, grant, descent, devise or

otherwise, as the Protestants: they were restored to the free exercise of their religion; their horses and private property were no longer exposed to confiscation, certain disabilities as to education were removed, and after a great lapse of time, they thus recovered these rights of person, property, and religion.

ADDRESS TO HIS MAJESTY.

DECLARATION OF RIGHT.

February 22. 1782.

ON this day Mr. Grattan, in pursuance of the notice which he had given, brought forward his motion for an address to His Majesty, declaring the rights of Ireland. [It is to be regretted, that the commencement of this speech is wanting.]

Sir, Before Ireland goes into her title, let us hear the title of England; for the question is not, whether Ireland has a right to be free, but whether Great Britain has a right to enslave her: when the latter country asks, what right have the Irish to make law for themselves? Ireland will not answer, but demands, what right has England to make laws for Ireland! — from nature she has none. Nature has not given any one nation a right over another. Has she that right from covenant — let her shew the covenant. In what roll do we find it? in what history is it recorded? there is no such thing in legislation. Ireland, in the reign of Henry the Seventh, gave up her propounding and deliberative power: so it has been construed. Ireland, in the reign of King Charles the Second, by granting customs and excise in perpetuity, gave up in a degree the purse of the nation, but Ireland never gave up her legislation; there is a covenant most certainly — a covenant recognised by lawyers, and set forth by historians, but it is a covenant (with Henry the Second) that secures to the King the government, and to Ireland the laws, that is to say, the liberties of England, in which is included a right to Ireland, not to be bound without her own consent, and to have her own legislative assemblies; — this covenant then, excludes the English legislature: and thus, the title of the King precludes the claim of the Parliament: there is then, no covenant regarding the legislature of England, except one, which is against her: are we then to search for her right in usage? her act sets forth no such title; but usage is a continuation of precedent exercised from

the beginning, and exercised without opposition or counter-claim from a people in a condition to oppose, and whose laws on the subject of this right are silent. Where is such usage? England puts forth two great instances, which she denominates laws; the *statutum Hiberniæ* is one, the *Ordinationes*, 17th of Edward the First, the other: there are no such laws: these instruments are orders of the King, touching things to be done in Ireland in consequence of her adoption of English laws, by her covenant with Henry the Second; they are evidence of compact, and the reverse of evidence of conquest. The *statutum Hiberniæ* was as follows: the judges of Ireland conceiving a doubt regarding inheritances devolved on sisters, viz. whether the younger should hold under the elder, and do homage to her, or hold under the lord, and do homage to him; the chief justice of Ireland dispatched four knights to the King of England, to bring a certificate from thence of the practice there used; whereon the King sent his rescript to inform the chief justice what the law and custom was in England: the rescript concludes, "that the said custom that be used in this case be proclaimed throughout our dominion of Ireland, *teste meipso*." What they call a statute is nothing more than this rescript. The other instance is equally erroneous. The *ordinatio pro statu Hiberniæ* was never received as law. The first article of the *ordinatio* prohibits the justices or others of the King's servants to purchase land in Ireland; but that has been ever otherwise, besides, it is no act of parliament, but an ordinance of the King and Privy Council, which is evident from the preamble, and from this fact, that Edward held no parliament in England in the year in which that ordinance was made. Thus the two first great precedents fail, and the case stumbles at the outset. England has mistaken orders of government for acts of parliament.

With diminished authority she then resorts to certain of her laws, which in the generality of their expression cover Ireland, the former instances were not laws, and these laws are not precedents; they are principally the acts of appeals, Henry the Eighth; act of first fruits, Henry the Eighth; act of faculties, Henry the Eighth; act of ecclesiastical jurisdiction, Elizabeth. But these acts were never put in force in Ireland, nor was any attempt made for that purpose; on the contrary, because they were not in force in Ireland, and because their power did not extend to that country, it was necessary that the Parliament of Ireland should pass acts to the same purpose, and such acts were passed accordingly, and form a precedent, not for the claim of England, but an argument and precedent against it; for

the general words of these statutes had no operation in Ireland, and for no other reason than because the English Parliament had no jurisdiction: the general terms of her acts stood controuled by the limits of her power, and the non-execution of the acts is a cotemporary evidence against her jurisdiction, and so was the point decided. The case was as follows, the 1st of Elizabeth gave a power to erect a court of high commission, the general words of the acts extended to Ireland, but no court of high commission was erected there; then followed the Irish act of the 2d of Elizabeth, which gave the Queen the same power in Ireland, and a court of high commission was erected accordingly; then followed the bill of rights, which put down all such courts: the bill of rights is declaratory, and its terms universal. A person was deprived of his bishoprick in Ireland, by virtue of a court of high commission, sitting after the bill of rights had passed; and the question was, whether such English bill acted on Ireland, or repealed the Irish act? the judges and chancellor of Ireland determined that it did not: thus it appears, that an English statute, however general in its terms, does not act on Ireland, and for no other reason, but, because the English Parliament is not her legislature: she next produces an order of acts which passed in the reign of the Edward's, and which did bind Ireland: but these are not acts of the English Parliament, but of the English and Irish Parliament sitting in conjunction, that is to say, with members sent to England to represent Ireland: there are writs extant to that purpose. Now acts that passed conjointly, do not prove that the English Parliament has a right to pass acts for Ireland separately; they prove the contrary, — they prove that when it was intended to bind Ireland, it was necessary to send for Irish representatives; and here again, the instances she quotes are authorities against her: next advances a description of English acts, which in the opinion of lawyers, though not adopted by Ireland, do bind her: they are acts declaratory of the common law of England, which Ireland by her compact with Henry the Second, adopted, and of which she received the interpretation from time to time from England, not as legislative provisions, but as judicial decisions; and these interpretations obtain, not by the authority of the English Parliament or English courts, but of the Irish assembly that passed the compact adopting those English laws: then is introduced another description of English statutes, wherein Ireland is specially named. The principal are, the 4th of Henry the Fifth, relative to Irish servants; the 1st of Henry the Sixth relative to ecclesiastical benefices; the

19th of Henry the Seventh, relative to Perkin Warbeck's confederates; the 8th of Henry the Seventh, regarding tithe; and the 2d of Henry the Sixth, or the staple act: you will observe that these are the only ancient precedents set forth, that the later instances are practices which require to be supported by precedents; they are proceedings against a country exhausted, they are not in themselves precedents; they are not, as Vaughan absurdly suggests, their own precedents; these, I say, are not precedents, and the ancient precedents are too few to amount to a usage; besides, it does not appear that they were carried into execution, and it does appear they were denied by Ireland: there are five protests against their legality; there is the Irish act of the 10th of Henry the Fourth, declaring that no law should be of force in Ireland until it should be confirmed by the Irish Parliament; there is the 29th of Henry the Sixth, declaring that no act should be of force in Ireland unless it was confirmed by the Irish Parliament. You know the early rolls of Ireland are lost, but the exemplification of these acts were found in the treasury of Waterford, and cannot be questioned, and do exclude expressly the Parliament of England, and settle the case, even though they stood alone; add to these their wonted claim and their protest; there is also the act of faculties in the reign of Henry the Eighth, which was as follows:

"This your Grace's realm, recognizing no superior under God but your Grace, hath been, and yet is free from subjection to any man's laws, but such as have been devised and ordained within this realm, or to such other as, by sufferance of your Grace and your progenitors, the people of this realm have taken at their free liberty by their own consent." What now becomes of precedent? there is the declaration of right, their counter-claim by the House of Commons in Ireland, declaring that His Majesty's subjects in Ireland are a free people, and to be governed only according to the common law of England, and statutes made and established by Parliament in this kingdom of Ireland, and according to the lawful customs used in the same; there is the protest of the lords of Ireland in 1721, with five instruments of counter-claim—and these, *protestations* from a people unable to resist.

The few instances of ancient acts naming Ireland, do not amount to a usage, and therefore I submit that England has not made out her title by nature or by contract; she has made out no title; she has not put Ireland upon her case: and we might here stop, but we choose to go on, and we observe, that three of the instruments we have stated among these protests, are acts of parliament; they are not evidence of the law, but the law: the Parliament that declares the law,

makes it: and what is that law? viz. it declares that no statute has force in Ireland until confirmed by the Irish Parliament. What now becomes of the precedents? supposing that they were in point, which they are not; supposing they were numerous and amounted to a usage: yet precedent cannot repeal act of parliament; but act of parliament sets aside precedent: I say, the claim of England is then set aside by the authority of Parliament; moreover, you will observe, that the Irish acts referred to, namely, the 10th of Henry the Fourth, and the 29th of Henry the Sixth, were before most of the precedents quoted, and one of the acts before any usage is pretended or could have existed; besides, the common law of England was introduced into Ireland the 9th of King John, that is before any precedent. — But Parliament, or such a legislative assembly, is a part of the common law, and two parliaments are against the common law, but these precedents cannot set aside the common law, no more than it can repeal the statute. So that the claim of England is not a title established by usage, and then set aside by Irish statute, but an attempt to overturn existing statutes, acts of parliament, by acts of power, and to set up violation in the place of law. I might stop here, but Ireland is not confined to the statutes I have mentioned; she has other titles to her freedom in abundance; and first, she has the original compact of Henry the Second with the Irish Princes — giving to Henry the Crown — to the Princes their governments, and to the Irish settlers the English laws; the evidence of that compact are the two historians Gérald Cambrensis and Mathew Paris, the latter of whom was present when it was made: the matter of that compact was, that Ireland should possess the laws and customs of England; and this convention was confirmed by the solemnity of an oath, *leges Angliæ gratanter acceptæ et juratoria solemnitate confirmatæ.* Other compacts between kings and their people are not to be found: the compact of England with William the First does not appear to exist in form, and is founded justly, and fairly I think, on a principle that the Crown is a commission, but the Irish compact is an historic transaction: And what is the compact? the laws of England: And what were the laws of England at that time? the laws of the Confessor, the laws which Magna Charta declared, and among them, the great law of liberty, namely, to be bound only by your own assemblies. Then follows the charter of John, and then magna charta, the first of Henry the Third, 1216, and in this it is recited, "the city of Dublin shall have her ancient privileges, and all towns and cities and boroughs their free customs." What liberties? what free customs? Was the power

of the legislature of another country to shut up their harbours and stop their commerce, — one of their free customs? "The King shall not take aids but by the consent of the realm:" then the British Parliament cannot tax Ireland. Such is the 29th of the great charter, such the 25th of Edward the First, such the 27th, such the 34th of the same, acts which Ireland adopted after the charter; the 29th of the great charter says, "no freeman shall be taken or disseized of his freehold or free custom, or be outlawed, banished, or destroyed; nor shall the King pass upon him but by the lawful judgment of his peers and the law of the land."

Was the authority of the English Parliament at this time, the time of the charter of Henry the Third, the law of Ireland? Where is the law of conquest now? I appeal to the guilty spirit of the Earl of Strafford, who argued that the word *conquest* used in an act of the Irish Parliament, was a legislative provision, enacting the right of conquest by the authority of Parliament. All these acts amount to this position, that the subject who claims these provisions shall not be taxed but by his own parliament or legislature, nor affected in property, life, or limb, but by the laws of his own country. The British Parliament then cannot punish you; it cannot fine you; it cannot tax Ireland; it cannot punish Ireland: then it cannot legislate for Ireland. You will observe that the rights and privileges above mentioned are not securities against the King only, they are certain properties annexed by the laws of these countries to the person of the subject; he is clothed with immunities and privileges: the words are possessive; he is protected against royal oppression, and he walks the conscious proprietor of the great charter. These laws form a condition for the subject, irreconcilable to the law of conquest, and utterly incompatible with what is set up under pretence of that law, — the power of the British Parliament over Ireland.

There is another act I wish to mention; it is the 34th of Edward the First: "all clerks and laymen shall have their liberties as when they had them the best." Was the power of the English Parliament, that is, of another country over us, our best laws? was conquest our best law? And do not imagine that this act is inoperative because general, or that a franchise need be penned with the subtilty of a penal law; indeed, the Attorney-general of Charles the First thought so, and when he argued against the liberties of the people of England at a conference with the Lords, on the petition of right, said that the statutes of the great charter and other franchises are conceived in general to be expounded, that is to say, to be done away by precedents: but he lived to feel in his own impeachment the vanity of that argument, and found the laws of his

country, which he imagined dead to her protection, were alive to his punishment.

I have mentioned certain laws and charters in support of the freedom of Ireland: are they the whole? no; there are more of them, namely, all the laws by which England claims her liberty; they were enacted in Ireland by the 10th of Henry the Seventh. You will observe, that the petition and declaration of right were declaratory of the ancient privileges of England, and that by the Irish act of the 10th of Henry the Seventh, all those are communicated to Ireland; and I beg to set forth these rights and privileges, together with those mentioned before, not only as instruments of freedom, but links of connexion. Ireland has another title in support of her liberty, a Parliament of her own. Parliament is exclusive legislature, it is so *ex vi termini*; such is the construction by England herself; the *modus tenendi parliamentum* is in both countries the same; but it is not necessary to establish the *modus* in order to ascertain the power: the competency of the Parliament of Ireland stands on the same base within this realm as that of the English Parliament within the realm of Great Britain. Like that of England, our legislature is composed of King, Lords, and Commons; but the word king is exclusive, the word lords exclusive, and the word commons exclusive: when you say you are governed by a king, you mean one king; when you say you are governed by a parliament, you mean one parliament: when the judges said that the laws of England did not extend to Ireland because she had a parliament of her own, they said by necessary construction, that the English legislature was not her parliament: it is true, if the English legislature chose to name Ireland and usurp legislative authority, the judge cannot question the legislature of his own country; but such a proceeding does not become a matter of right, because the judge cannot relieve against it.

I have shown the claim of England is not a case of precedent; violation is not legislation; robbery unpunished does not repeal the decalogue; precedent cannot prevail against an act of parliament; it is a *parva consuetudo*, not a law; and a course of precedent is a course of violation. Could precedent repeal the great charter? it was thirty times violated; but such violation did not cancel the great charter, but proved so many challenges to re-affirm, re-instate, and glorify that inviolable instrument of public liberty. The reign of Henry the Eighth was a precedent against the privilege of Parliament; forced loans had their precedents, ship money had its precedents. Charles the First imposed a loan by his own authority; five gentlemen refuse to pay it; they are imprisoned by a warrant from the council; they are brought up on

their *habeas corpus*; they produce six laws beside the charter in their favour: the judges rely on precedent, and remand the prisoners: these judges despised the old laws to which they and their predecessors were sworn, and stood on precedents on which those predecessors were perjured; but these franchises survived those pliant judges, and afterwards sat in judgment upon them, and left in their punishment a precedent better than their example, — the triumph of the law over the perjury of the judges. What has been the conduct of the people of England on the subject of precedent? You are armed with her laws, be animated by her example: her declaration of rights, after reciting precedents against the liberty of the subject, says, "all such doings, and so forth, shall be utterly void:" her great charter had set forth that any judgment given to the contrary shall be utterly void; she formed her petition of right upon her birth-right, — your birth-right against precedent; she formed her declaration of right on the same ground, she considered the right of kings as defeasible, and the birth-right of the subject as indefeasible, and she deposed a king who had, under the authority of precedent and adjudication, invaded the indefeasible right of the subject, out of which right she formed not only a revolution but a dynasty, that had and has no other foundation than that which depends on the abolishment of every arbitrary maxim in church and state, — the venal judgment, the violent precedent, and the barefaced impudence of the law of conquest. Has then the birth-right of the British subject, — your birth-right, been sufficient against precedent? (the precedent of the Plantagenets, the precedent of the Tudors, the precedent of the Stuarts,) to form a petition of right, a declaration of right, a revolution, cancel the oath of allegiance, depose James, establish William, royalize the house of Hanover? has our common birth-right done all this for England, and given security to her meanest subject, and clothed her beggar with his sturdiness? and has it left Ireland naked, subject to be bound without your consent, taxed without your consent, with your commerce restricted, an independent army, and a dependant Parliament, and your property adjudged by the decisions of another country?

We have done with precedent. She then resorts to authority; to what authority? to her judges. To do what? to repeal acts of parliament by interpretation. What act? magna charta, — the act that forms the security of the realm. I respect the judges, but in this case I object to their authority, first, because they are partial, being of the country whose power they are to discuss; secondly, because they

are dependent, being punishable by the Parliament whose claims they are to arbitrate; thirdly, because they are incompetent, being by their office obliged to pronounce the law as Parliament declares; fourthly, because they are inadmissible, being in this case called upon to repeal an act of parliament under colour of interpretation: the great charter, the 10th of Henry the Fourth, the 29th of Henry the Sixth, the act of faculties, do not want an interpreter: these say, no English statute shall be executed in Ireland till confirmed by the Irish Parliament, no Irish subject to be bound by statutes except ordained within the realm; to say they may, is to repeal, not to interpret; such explanation is violation, not interpretation, and the judge not an authority, but an offender; besides, the judges are bad arbiters of public liberty; there is no act of power for which you have not a precedent, nor any false doctrine for which you have not an adjudication. Lord Bacon maintained a dispensing power, Lord Coke maintained a dispensing power, Lord Chief Justice Fleming affirmed the power of the King to lay port duties, Judge Blackstone maintained the power of the House of Commons to disqualify by the vote of its own body, when the Attorney General of Charles the First filed an information against three members of Parliament for their speeches in the House of Commons; the judges of the King's Bench fined and confined them all: there is no adjudication which the judges of England can make against Ireland, that they have not made against their own country: now, as the people of England have disregarded such authority when urged against their own liberties, so shall we disregard the same authority when urged against ours: we cannot allow England to plead her magna charta against the authority of her judges, and to set up the authority of her judges against the magna charta of Ireland; nor must she answer her judges with the principles of the revolution, and answer Ireland with the principles of the jacobite; for neither judgments, nor judges' opinions, nor precedents, are laws; still less can they repeal laws, still less franchises, and least of all, charters: these things read themselves without a judge, and in despite of him; they put forth a subterranean voice even against kings, and though buried for ages, like the blood of the murdered man, they rise up in judgment, and call for justice.

Let them now produce their judges. There are four remarkable adjudications on this subject;—one has been against us, and three have been in our favour: the one against us, is the case of the staple act, the English act of the 2nd of Henry the Sixth; it was a case where Ireland was

specially named and forbidden to export woollen to Calais; the first decision adjudged, that Ireland was not bound by this act; the decision was made in the time of Richard the Third by all the judges of England assembled in the Exchequer Chamber; this case afterwards, in the reign of Henry the Seventh, was, by Lord Chief Justice Hussey, decided against us, his brethren not much dissenting; the reporter (Brooke) doubts the legality of his opinion, and Lord Coke approves of the contrary opinion, namely, of the original determination of the judges assembled in the Exchequer Chamber. Under these circumstances stands the decision which is against us: of the three decisions which were for us, I have stated one already (the case of the court of High Commission in Ireland); another was the case of a patent given to one Pilkington, of an office in Ireland, which he discharged by deputy. *A.* got a patent for the same office, and Pilkington brought a *scire facias* to the court in England, 20th of Henry the Sixth, against *A.*, to show cause why the patent should not be repealed. *A.* pleaded that the Irish Parliament had by an act required that the said office should be discharged in person, or forfeited, and then he prescribed for the Irish Parliament, and the prescription was allowed. The third decision is that of the judges of Ireland on queries put to them by the Lords at the request of the Commons: the first query was as follows: Whether the subjects of Ireland be a free people, and to be governed only by the common laws of England and statutes of force in this kingdom? To which query all the judges answer in the affirmative: they point out where the common law, in some instances, differs from that of England, and where equity interferes; but with respect to the question whether the subjects of Ireland be a free people, to be bound only by the common laws of England, and the Irish statutes, their assent is unqualified: such is the answer; and this the answer of the seven judges of Ireland given in writing with their names affixed. The other authorities are the opinions of judges given in their books; one of these opinions is that of Mr. Justice Blackstone; a very considerable name: but what are his arguments? what has this oracle pronounced? namely, that the Parliament of England has settled her own right by her own *ipse dixit*: she has settled the matter, he says, by the declaratory act of the 6th of George the First; certainly she has settled the matter for this Rhadamanthus: but his remark proves only, that the Parliament of England had authority over her judge, but it does not prove that she had authority over Ireland: certainly the judge cannot question the legislature, and therefore ought not in such a case

to be an arbiter, and of course is not an authority, having settled the question by the authority of Parliament. He adds his own reasons; they are worse than that authority: Ireland, he says, is a kind of colony planted by England, and then he rests the right of England on conquest: to which we answer, she is not a colony, she is not a kind of colony; that she was not planted by England, that she was not conquered, and that, if she were, she has compacts, charters, and laws to do away what is called the right of conquest. I must observe, this grave and learned judge does not in this case exert himself within his own science, craft, or mystery.; he speaks on the history of Ireland and the law of nations, and is erroneous in both. Next is introduced the thunderbolt of the law, the English Minos — Lord Coke; — a great authority, a friend to liberty, and the principal framer of the Bill of Rights; but this Leviathan does not combat here in his own waters; he moves in another element; and, though in every element portentous and prepollant, is not omnipotent here: he declares, that Ireland is not bound by the English Parliament, and gives his reasons, viz. because she has a parliament of her own, and does not send representatives to the Parliament of England; and then, he adds, not bound "except when she is especially named;" which does not, however, remove the force of his reason, but leaves it to act against the exception as well as against the general proposition, for she has not, when named, a parliament the less, nor a representative the more: he then quotes a precedent, — it is where England bound Ireland when Ireland sent representatives to England; and he infers from thence, that England can bind Ireland when she *does not*; and, finally, he rests his opinion on a law which goes to overturn the liberty of his own country as well as of ours, — the law of conquest. So is Vaughan: he sets in the gulf in which his learned brethren, the other lights of the law, are extinguished; — the law of conquest: so are they all; — they all rest on this law.

I have shown that England has no title by the law of nature, no title by the law of covenant, no title by the law of usage; the best authorities, Locke, Burlemachi, Hooker — independent philosophers — better authority than dependent judges, have pronounced it so. Will she claim by conquest? It only extends to a certain description of the generation conquered, and it is extinguished by pacts, charters, and laws; let me add, that Ireland was not conquered, and supposing her to have been so, I have produced pacts, charters, and laws innumerable. Further, I beg to say, that the authorities quoted, even those quoted against us, refute the idea of conquest. The

judges in Pilkington's case, who allow the prescription for the Irish Parliament, give up the idea of conquest. My Lord Coke himself, who affirms that Ireland has a parliament of her own, precludes the idea of conquest; the seven judges of Ireland, who acknowledged that the Irish were a free people, and to be governed only by the common law of England, and the statutes of Ireland, preclude the idea of conquest. Henry the Second, who professed to take Ireland by the grant of the Pope, renounced thereby the idea of conquest. He made a covenant with the Irish chieftains; they acknowledged him their sovereign, and he confirmed to them their petty governments. He made a covenant with the English settlers, they swearing allegiance to him, and he communicating to them the laws and liberties of England.

"Nothing obtained except in a just war; no right over the posterity of the conquered." Such is Locke. "Conquest cannot give title; it is a means to obtain; and that title cannot be good except by the consent, express or tacit, of the people." Such is Burlemachi. "If the people do not voluntarily submit, a state of war exists." Such is Vattel. What says England? Mr. Pym, in Lord Strafford's impeachment, speaks as follows: "The law is the safeguard of all private interests; without this every man has a right to every thing. And this is the case to which the Irish were reduced by the Earl of Strafford; and the reason he gave hath more mischief than the thing itself, viz. that they were a conquered nation. There are few nations in the world that have not been conquered; but if pacts and agreements do not restrain that, what people can be free? England hath been conquered, — Wales hath been conquered, and by this reason will be little better than Ireland." Thus speaks Mr. Pym. What says the English House of Commons? It says, "that the realm of Ireland having been time out of mind annexed to the imperial Crown of England, and governed by *the same laws*, the said Earl being deputy in that realm, to bring His Majesty's liege subjects of that realm into a dislike of His Majesty's government, and intending the subversion of the fundamental laws and settled government of that kingdom, and the destruction of His Majesty's liege people there, did declare and publish — that Ireland was a conquered nation." Thus spoke the English House of Commons. What said the English Parliament? The bill of attainder is before you. "Whereas the knights, citizens, and burgesses, have impeached Thomas Earl of Strafford for endeavouring to *subvert* the ancient and fundamental government of England and *Ireland*, and to introduce an arbitrary and tyrannical government against law

in the said kingdoms; be it enacted, that he shall suffer the pain of death. Thus did the Parliament of England act on this question with regard to her minister. How has she acted with regard to her King? I know it will be said she revoked the act of attainder: true, she revoked the attainder, but did not restore the doctrine of conquest; on the contrary, in the face of the law of conquest, she resolved as follows: "that there is an original compact between the King and the people; that James the Second had broken that original compact, and that the breach of compact, with his other offences, was an abdication of his crown:" and she deposed him accordingly, and she called on the Irish to aid her in the deposition. England called on the Irish to shed their blood, and they shed it accordingly in deposing James the Second, for having broken his compact with England. And will she now break the compact with Ireland, and set up here the law of conquest? has she attainted the Irish for the treason of aiding James, who broke the original compact with England? and will she punish the Irish for not aiding England in breaking the compact with themselves? will she employ her King who owes his crown to one compact to break the other? will she confiscate the property of James's abettors in Ireland on the principles of compact, and seize on the liberties of the whole realm on the principles of conquest, and commit herself that very crime? A prodigy in the annals of mankind incredible, and an exhibition of the thirst of power in the frenzy of the human race unimaginable! Commit herself that very crime for which she beheaded her minister, and deposed her king!

This brings the claim of England to a mere question of force: it is a right which Swift, I think it is Swift, has explained, — the right of the grenadier to take the property of a naked man. I add, this man has now gotten back his arms, and begs to get back his property. Thus the question remaining is a question of ability; and in considering this, you are not to contemplate alone the difficulties in your front; you are to look back too on the strength in your rear. The claim by conquest naturally leads to the subject of the volunteers. You have an immense force, the shape of a much greater of different religions, but of one political faith, kept up for three years defending the country; for the government took away her troops and consigned her defence to the people; — defending the government, I say, aiding the civil power, and pledged to maintain the liberty of Ireland to the last drop of their blood. Who is this body? the Commons of Ireland! and you at the head of them: it is more — it is the society in its greatest possible description; it is the property — it is the soul of the

country armed: they, for this body, have yet no adequate name. In the summer of 1780, they agree to a declaration of right; in the summer of 1781, they hear that the French are at sea; in the heat and hurricane of their zeal for liberty, they stop; without delay, they offer to march; their march waits only for the commands of the Castle: the castle, where the sagacious courtier had abandoned his uniform, finds it prudent to receive a self-armed association: that self-armed association this age has beheld; posterity will admire — will wonder. The delegates of that self-armed association enter the mansion of the government, ascend the steps, advance to the presence of the Lord-lieutenant, and make a tender of their lives and fortunes, with the form and reception of an authenticated establishment. A painter might here display and contrast the loyalty of a courtier with that of a volunteer; he would paint the courtier hurrying off his uniform, casting away his arms, filling his pockets with the public money, and then presenting to his sovereign naked servitude; he would paint the volunteer seizing his charters, handling his arms, forming his columns, improving his discipline, demanding his rights, and then, at the foot of the throne, making a tender of armed allegiance. He had no objection to die by the side of England; but he must be found dead with her charter in his hand.

Stationed as you are, and placed as you are in relation to the community and these great objects, how do you mean to proceed? submit, and take the lead in the desertion? impossible! The strength which at your back supports your virtue, precludes your apostacy; the armed presence of the nation will not bend; the community will not be sold; nor will a nation in arms suffer the eternal blessing of freedom and renown to depend on the experiment, whether this villain shall be a pensioner, or that pickpocket shall be a peer. Before you decide on the practicability of being slaves for ever, look to America. Do you see nothing in that America but the grave and prison of your armies? and do you not see in her range of territory, cheapness of living, variety of climate, and simplicity of life, — the drain of Europe? Whatever is bold and disconsolate, sullen virtue and wounded pride; all, all to that point will precipitate; and what you trample on in Europe will sting you in America. When Philadelphia or whatever city the American appoints for empire, sends forth her ambassadors to the different kings in Europe, and manifests to the world her independency and power; do you imagine you will persuade Ireland to be satisfied with an English Parliament making laws for her; satisfied with a

refusal to her loyalty, of those privileges which were offered to the arms of America? How will individuals among you like this? Some of the gentlemen whom I now see in their places, are the descendants of kings; the illustrious gentleman * on the far bench; my illustrious † friend near me. Will they derogate from the royalty of their forefathers, bow their honoured heads, or acknowledge the crown of their ancestors, or more than regal power on the brow of every forty-shilling freeholder in England, or on any front except that of His Majesty? Are the American enemies to be free, and these royal subjects slaves? or in what quality does His Majesty choose to contemplate the Irish hereafter? His subjects in parliament, or his equals in congress? Submission, therefore, will not do: there remains, then, but one way; assert the independency of your parliament. What do you wait for? Do you wait for a peace; till the volunteer retires, and the minister replies by his cannon? The Stag frigate is now in your harbour, or do you wait for more calamities in the fortunes of England, till the empire is a wreck, and the two countries go down together? or do you delay, till Providence, beholding you on your knees, shall fall in love with your meanness, and rain on your servility constitution like manna. You go to the house of God when you want heat or moisture, and you interfere with God's providence by your importunities. Are the princes of the earth more vigilant than the Almighty, that you should besiege the throne of mercy with your solicitations, and hold it unnecessary to admonish the King? or do you wait till your country speaks to you in thunder? Let me conclude by observing, that you have the two claims before you; the claim of England to power, and of Ireland to liberty: and I have shown you, that England has no title to that power to make laws for Ireland; none by nature, none by compact, none by usage, and none by conquest; and that Ireland has several titles against the claims of England; — a title by nature, a title by compact, and a title by divers positive acts of parliament; a title by charter, and by all the laws by which England possesses her liberties; — by England's interpretation of those laws, by her renunciation of conquest, and her acknowledgment of the law of original compact.

I now move you,

That an humble address be presented to His Majesty, to assure His Majesty of our most sincere and unfeigned attachment to His Majesty's person and government.

To assure His Majesty, that the people of this country are a free people.

* Mr. O'Hara. † Mr. O'Neill.

That the crown of Ireland is an imperial crown, and the kingdom of Ireland a distinct kingdom, with a parliament of her own, the sole legislature thereof.

To assure His Majesty, that, by our fundamental laws and franchises, (laws and franchises which we on the part of the nation do claim as her birthright), the subjects of this kingdom cannot be bound, affected, or obliged by any legislature, save only by the King, Lords, and Commons of this His Majesty's realm of Ireland, nor is there any other body of men who have power or authority to make laws for the same.

To assure His Majesty, that His Majesty's subjects of Ireland conceive that in this privilege is contained the very essence of their liberty, and that they tender it as they do their lives, and accordingly have with one voice declared and protested against the interposition of any other parliament in the legislation of this country.

To assure His Majesty, that we have seen with concern the Parliament of Great Britain advance a claim to make law for Ireland; and that this anxiety is kept alive, when we perceive the same Parliament still persists in that claim, as may appear by recent British acts which affect to bind Ireland, but to which the subjects of Ireland can pay no obedience.

To assure His Majesty, that, next to our liberties, we value our connexion with Great Britain; on which we conceive, at this time most particularly, the happiness of both kingdoms intimately depends, and which, as it is our most sincere wish, so shall it be our principal study, to cultivate and render perpetual: that, under this impression, we cannot suggest any means whereby such connexion can be so much improved and strengthened, as by a renunciation of the claim of the British Parliament to make laws for Ireland, — a claim useless to England, cruel to Ireland, and without any foundation in law.

That with a high sense of the *magnanimity* and justice of the British character, and in the most entire reliance on His Majesty's paternal care, we have set forth our rights and sentiments, and without prescribing any mode to His Majesty, we throw ourselves on his royal wisdom.

The motion was seconded by Mr. Brownlow; it was supported by Mr. Hussey Burgh, Mr. Forbes, Mr. Flood, Mr. Mossom, and Mr. Ogle.

Mr. Burgh said, that no man could now be found bold enough to maintain the supremacy of the British Parliament; the Attorney-general (Mr. Scott, afterwards Lord Clonmell) said he would oppose reason and good sense to the most artful and eloquent harangue he had ever heard; he would not attempt to agitate the

question of right, but he trembled at the scenes of anarchy and confusion that the proposed measure was likely to produce: scarcely an individual in the House who did not possess some portion of the forfeited estates, and scarcely a county in Ireland of which they did not form a part; the validity of their titles will be shaken. When a learned friend of his (Mr. Fitzgibbon) stated this objection on a former night, the House felt the weight of his observation: he therefore objected to the motion, inasmuch as it would shake all the property in the nation; the imperial crown of Ireland is appendant to the crown of England; and the object proposed would be gained only by a struggle: he accordingly moved to adjourn the debate to the 1st of August next. Mr. Richard Hely Hutchinson and Mr. Bushe supported the amendment of the Attorney-general; they contended that the great objects had been attained. Commerce had been granted by England, and Ireland had asserted her independence. British statutes had ceased to be respected as formerly: will juries, now, execute British statutes? will the revenue board enforce British statutes?—In the instance of a right honourable and public-spirited member of the House, goods were admitted to be shipped in opposition to a British statute; the British mutiny law, that too was not executed. British law would now no longer be obeyed. Mr. Bushe said, my honourable friend, by agitating these questions, has lighted up the flame of liberty, and every man now depends on the firmness of his country; but if we make this declaration, we must insist on it; if it be denied, shall we submit? No! it becomes, then, a question of danger, and is inexpedient and unnecessary. Mr. Forbes, in answer to the observation of the Attorney-general, stated that he held an estate under an English title, and a claim being lately made against him, he was obliged to make a very disadvantageous compromise, rather than maintain a suit under an authority which every Irishman reprobated, and on which no jury would find: the declaration would therefore decide the point, and quiet the minds of the people. Mr. Flood called on the Attorney-general to state if he meant to support the question of right: that his authority was of import-ance as the first officer of the Crown, and the question must now be decided: the Attorney-general declared that he was only Attorney-general to the King of Ireland as connected with England; he was the trustee of the law, and his duty was to state acts of parliament, not rights. Mr. Flood then said, I am satisfied it is intended to maintain the claim of right; it is now made a question of power, that is, the right of the highwayman; and the proper time, therefore, to overturn such power, is the season of weakness. I, therefore, hold it necessary to make a declaration of the liberties and constitutional rights of Ireland.

Mr. Grattan replied; and the question being put, there appeared for the Attorney-general's amendment, Ayes 137, Noes 68; Majority against the declaration of right 69.

Tellers for the Ayes, Mr. Clements and Mr. Robert Jephson.
for the Noes, Mr. Grattan and Mr. Brownlow.

DECLARATION OF RIGHT.

MR. GRATTAN MOVES AN AMENDMENT TO THE ADDRESS TO HIS MAJESTY, DECLARING THE INDEPENDENCE OF IRELAND.

April 16. 1782.

THE principles of the Irish revolution had by this time extended throughout all parts of the kingdom; the volunteers had augmented nearly to 80,000 men; the representatives of 143 corps had, in the month of February assembled at Dungannon, to take into consideration the question of their country's freedom; and they passed at that celebrated convention, resolutions most important in their nature and their consequences. The three most essential were as follows:

"Resolved, that a claim of any body of men other than the King, Lords, and Commons of Ireland, to make laws to bind this kingdom, is unconstitutional, illegal, and a *grievance*.

"Resolved, that the powers exercised by the Privy Council of both kingdoms, under, or under colour or pretence of the law of Poynings, are unconstitutional, and a *grievance*.

"Resolved, that a mutiny bill, not limited in point of duration from session to session, is unconstitutional, and a *grievance*."

These resolutions were adopted by most of the volunteers throughout the kingdom, who resolved, that their lives and fortunes stood pledged to support them. To these circumstances must be added the losses Great Britain had sustained in America; the irresolution and weakness of her ministers in England; all of which tended to bring about the great object that Ireland had in view. In the month of March a total change took place in the administration *, Lord North was displaced; the Opposition succeeded. Mr. Fox was appointed minister. The Duke of Portland came over to Ireland as Lord Lieutenant, and Mr. Fitzpatrick as

* GREAT BRITAIN.

First Lord of the Treasury — Marquis of Rockingham.
Principal Secretaries of State — The Earl of Shelburne, and the Hon. Charles James Fox, (the third secretaryship abolished).
Chancellor of the Exchequer — Lord John Cavendish.
First Lord of the Admiralty — Admiral Keppel.
President of the Council — Lord Camden.
Master General of the Ordnance — Duke of Richmond.
Chancellor — Lord Thurlow.
Commander in Chief of the Forces — General Conway.
Chancellor of the Duchy of Lancaster — John Dunning, (created Baron Ashburton).

(These formed the Cabinet.)

Secretary. In the meanwhile the patriotic party in the Irish House of Commons were not inactive, and on the 14th of March they carried a vote of the House, whereby it was ordered, that the House be called over on the 16th of April, and that the Speaker *do write circular letters* to the members, ordering them to attend on that day, *as they tender the rights of the Irish Parliament*; accordingly, on this day, the fullest attendance of the House took place, the galleries and bar were crowded with spectators, every individual was filled with anxiety and expectation, under the impression that this day would witness the successful termination of that question which Mr. Grattan had on former occasions brought forward, and on which depended the rights and liberties of Ireland.

As soon as the Speaker had taken the chair, the Right Hon. John Hely Hutchinson, the Secretary of State, delivered from the Lord Lieutenant the following message:

"Portland."

"I have it in command from His Majesty to inform this House, that His Majesty being concerned to find that discontents and jealousies are prevailing among his loyal subjects of this country, upon matters of great weight and importance, His Majesty recommends it to this House to take the same into their most serious consideration, in order to such a final adjustment as may give mutual satisfaction to his kingdoms of Great Britain and Ireland."

A message of a similar nature had, on the 9th of April, been presented to both Houses of the British Parliament.

Mr. Hutchinson said, that he had no authority to say any thing further from the Lord Lieutenant; but that his appointment was for purposes no doubt beneficial for Ireland: he stated, that the great public objects so eagerly sought for were likely to be successful; they could only be obtained by the spirit of the nation,

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Under Secretaries of State — Richard Brinsley Sheridan, and Thomas Orde.
Attorney General — Lloyd Kenyon.
Solicitor General — John Lee.
Secretary at War — Hon. Thomas Townsend.
Paymaster of the Forces — Right Hon. Edmund Burke.

IRELAND.

Lord Lieutenant — Duke of Portland.
Joint Vice Treasurers — Earl of Scarborough, and Sir George Yonge.
Secretary to the Lord Lieutenant — Colonel Richard Fitzpatrick.
Chancellor of the Exchequer — William Gerard Hamilton.
Secretary of State — Right Hon. John Hely Hutchinson (Provost).
Commander of the Forces — Lieut. General Burgoyne.
To continue Chancellor — Lord Lifford.
Attorney General — Right Hon. Barry Yelverton, (he afterwards succeeded Mr. Burgh as Chief Baron of Exchequer.
Solicitor General continued — Hugh Carleton, Esq.
Prime Serjeant — Thomas Kelly, Esq. (he afterwards was made a Judge of the Common Pleas).

and now that this spirit was universal, it was the duty of the representatives to repeat that public voice, and conform to the determined spirit of the nation. He alluded to Mr. Grattan in terms of great respect and admiration, and recommended to the House unanimity and firmness in their proceedings.

Mr. George Ponsonby moved, "That an humble address be presented to His Majesty, to return His Majesty the thanks of this House, for his most gracious message to this House, signified by his Grace the Lord-Lieutenant; that, in obedience to His Majesty's most gracious recommendation, this House will, without delay, take into their most serious consideration, the discontents and jealousies which have arisen in this kingdom; the causes whereof they will investigate with all convenient dispatch, and humbly submit to His Majesty's royal justice and wisdom."

Mr. GRATTAN rose, and spoke as follows:

I am now to address a free people: ages have passed away, and this is the first moment in which you could be distinguished by that appellation.

I have spoken on the subject of your liberty so often, that I have nothing to add, and have only to admire by what heaven-directed steps you have proceeded until the whole faculty of the nation is braced up to the act of her own deliverance.

I found Ireland on her knees, I watched over her with an eternal solicitude; I have traced her progress from injuries to arms, and from arms to liberty. *Spirit of Swift! spirit of* Molyneux! your genius has prevailed! Ireland is now a nation! in that new character I hail her! and bowing to her august presence, I say, *Esto perpetua!*

She is no longer a wretched colony, returning thanks to her governor for his rapine, and to her king for his oppression; nor is she now a squabbling, fretful sectary, perplexing her little wits, and firing her furious statutes with bigotry, sophistry, disabilities, and death, to transmit to posterity insignificance and war.

Look to the rest of Europe, and contemplate yourself, and be satisfied. Holland lives on the memory of past achievement; Sweden has lost her liberty; England has sullied her great name by an attempt to enslave her colonies. You are the only people, — you, of the nations in Europe, are now the only people who excite admiration; and in your present conduct you not only exceed the present generation, but you equal the past. I am not afraid to turn back and look antiquity in the face: the revolution, — that great event, whether you call it ancient or modern I know not, was tarnished with bigotry: the great deliverer (for such I must ever call the Prince of Nassau,) was blemished

with oppression; he assented to, he was forced to assent to acts which deprived the Catholics of religious, and all the Irish of civil and commercial rights, though the Irish were the only subjects in these islands who had fought in his defence. But you have sought liberty on her own principle: see the Presbyterians of Bangor petition for the freedom of the Catholics of Munster. You, with difficulties innumerable, with dangers not a few, have done what your ancestors wished, but could not accomplish; and what your posterity may preserve, but will never equal: you have moulded the jarring elements of your country into a nation, and have rivalled those great and ancient commonwealths, whom you were taught to admire, and among whom you are now to be recorded: in this proceeding you had not the advantages which were common to other great countries; no monuments, no trophies, none of those outward and visible signs of greatness, such as inspire mankind and connect the ambition of the age which is coming on with the example of that going off, and forms the descent and concatenation of glory: no; you have not had any great act recorded among all your misfortunes, nor have you one public tomb to assemble the crowd, and speak to the living the language of integrity and freedom.

Your historians did not supply the want of monuments; on the contrary, these narrators of your misfortunes; who should have felt for your wrongs, and have punished your oppressors with oppressions, natural scourges, the moral indignation of history, compromised with public villany, and trembled; they excited your violence, they suppressed your provocation, and wrote in the chain which entrammelled their country. I am come to break that chain, and I congratulate my country, who, without any of the advantages I speak of, going forth as it were with nothing but a stone and a sling, and what oppression could not take away, the favour of Heaven, accomplished her own redemption, and left you nothing to add and every thing to admire.

You want no trophy now; the records of Parliament are the evidence of your glory: I beg to observe, that the deliverance of Ireland has proceeded from her own right hand; I rejoice at it, for had the great requisition of your freedom proceeded from the bounty of England, that great work would have been defective both in renown and security: it was necessary that the soul of the country should have been exalted by the act of her own redemption, and that England should withdraw her claim by operation of treaty, and not of mere grace and condescension; a gratuitous act of parliament, however express, would have been revocable, but the repeal of her

claim under operation of treaty is not: in that case, the legislature is put in covenant, and bound by the law of nations, the only law that can legally bind Parliament: never did this country stand so high; England and Ireland treat *ex æquo*. Ireland transmits to the King her claim of right, and requires of the Parliament of England the repeal of her claim of power, which repeal the English Parliament is to make under the force of a treaty which depends on the law of nations, — a law which cannot be repealed by the Parliament of England.

I rejoice that the people are a party to this treaty, because they are bound to preserve it. There is not a man of forty shillings freehold that is not associated in this our claim of right, and bound to die in its defence; cities, counties, associations, Protestants and Catholics; it seems as if the people had joined in one great national sacrament; a flame has descended from heaven on the intellect of Ireland, plays round her head, and encompasses her understanding with a consecrated glory.

There are some who think, and a few who declare, that the associations to which I refer are illegal: come, then, let us try the charge, and state the grievance. And, first, I ask, What were the grievances? an army imposed on us by another country, that army rendered perpetual; the privy-council of both countries made a part of our legislature; our legislature deprived of its originating and propounding power; another country exercising over us supreme legislative authority; that country disposing of our property by its judgments, and prohibiting our trade by its statutes: these were not grievances, but spoliations, which left you nothing. When you contended against them, you contended for the whole of your condition; when the minister asked, by what right? we refer him to our Maker: we sought our privileges by the right which we have to defend our property against a robber, our life against a murderer, our country against an invader, whether coming with civil or military force, — a foreign army, or a foreign legislature. This is a case that wants no precedent; the *revolution* wanted no precedent: for such things arrive to reform a course of bad precedents, and, instead of being founded on precedent, become such: the gazing world, whom they come to save, begins by doubt and concludes by worship. Let other nations be deceived by the sophistry of courts. Ireland has studied politics in the lair of oppression, and, taught by suffering, comprehends the rights of subjects and the duty of kings. Let other nations imagine that subjects are made for the monarch, but we conceive that kings, and parliaments, like kings, are made for the subjects.

The House of Commons, honourable and right honourable as it may be; the Lords, noble and illustrious as we pronounce them, are not original but derivative. Session after session they move their periodical orbit about the source of their being, the nation; even the King's Majesty must fulfil his due and tributary course round that great luminary; and created by its beam, and upheld by its attraction, must incline to that light, or go out of the system.

Ministers, we mean the ministers who have gone out, (I rely on the good intentions of the present), former ministers, I say, have put questions to us; we beg to put questions to them. They desired to know by what authority this nation has acted. This nation desires to know by what authority they have acted. By what authority did Government enforce the articles of war? By what authority does Government establish the post-office? By what authority are our merchants bound by the charter of the East India Company? By what authority has Ireland, for near one hundred years been deprived of her export trade? By what authority are her peers deprived of their judicature? By what authority has that judicature been transferred to the peers of Great Britain, and our property in its last resort referred to the decision of a non-resident, unauthorised, and unconstitutional tribunal? Will ministers say it was the authority of the British Parliament? On what ground, then, do they place the question between the Government on one side, and the volunteer on the other? According to their own statement, the government has been occupied in superseding the lawgiver of the country; and the volunteers are here to restore him. The Government has contended for the usurpation, and the people for the laws. His Majesty's late ministers imagined they had quelled the country when they had bought the newspapers; and they represented us as wild men, and our cause as visionary; and they pensioned a set of wretches to abuse both: but we took little account of them or their proceedings, and we waited and we watched, and we moved, as it were, on our native hills, with the minor remains of our parliamentary army, until that minority became Ireland. Let those ministers now go home, and congratulate their king on the redemption of his people. Did you imagine that those little parties whom three years ago you beheld in awkward squads parading in the streets, should have now arrived to such distinction and effect? What was the cause; for it was not the sword of the volunteer, nor his muster, nor his spirit, nor his promptitude to put down accidental disturbance or public disorder, nor his own unblamed and distinguished deportment. This was much; but there was more

than this: the upper orders, the property, and the abilities of the country, formed with the volunteer; and the volunteer had sense enough to obey them. This united the Protestant with the Catholic, and the landed proprietor with the people. There was still more than this; there was a continence which confined the corps to limited and legitimate objects; there was a principle which preserved the corps from adultery with French politics; there was a good taste which guarded the corps from the affectation of such folly: this, all this, made them bold; for it kept them innocent, it kept them rational: no vulgar rant against England; no mysterious admiration of France; no crime to conceal, — no folly to be ashamed of. They were what they professed to be; and that was nothing less than the society asserting her liberty, according to the frame of the British constitution, her inheritance to be enjoyed in perpetual connection with the British empire.

I do not mean to say that there were not divers violent and unseemly resolutions; the immensity of the means was inseparable from the excess.

Such are the great works of nature: such is the sea; but, like the sea, the waste and excess were lost in the advantage: and now, having given a parliament to the people, the volunteers will, I doubt not, leave the people to Parliament, and thus close, specifically and majestically, a great work, which will place them above censure and above panegyric. These associations, like other institutions, will perish: they will perish with the occasion that gave them being, and the gratitude of their country will write their epitaph, and say, "This phenomenon, the departed volunteer, justified only by the occasion, the birth of spirit and grievances, with some alloy of public evil, did more public good to Ireland than all her institutions; he restored the liberties of his country, and thus from the grave he answers his enemies." Connected by freedom as well as by allegiance, the two nations, Great Britain and Ireland, form a constitutional confederacy as well as one empire; the crown is one link, the constitution another; and, in my mind, the latter link is the most powerful.

You can get a king any where, but England is the only country with whom you can participate a free constitution. This makes England your natural connexion, and her king your natural as well as your legal sovereign: this is a connexion, not as Lord Coke has idly said, not as Judge Blackstone has foolishly said, not as other judges have ignorantly said, by conquest; but as Molyneux has said, and as I now say, by compact; and that compact is a free constitution. Suffer me now to state some of the things essential to that free

constitution; they are as follows: the independency of the Irish Parliament; the exclusion of the British Parliament from any authority in this realm; the restoration of the Irish judicature, and the exclusion of that of Great Britain. As to the perpetual mutiny bill, it must be more than limited; it must be effaced; that bill must fall, or the constitution cannot stand; that bill was originally limited by this House to two years, and it returned from England without the clause of limitation. What? a bill making the army independent of Parliament; and perpetual! I protested against it then, I have struggled with it since, and I am now come to destroy this great enemy of my country. The perpetual mutiny-bill must vanish out of the statute book; the excellent tract of Molyneux was burned; it was not answered; and its flame illumined posterity. This evil paper shall be burned, but burned like a felon, that its execution may be a peace-offering to the people, and that a declaration of right may be planted on its guilty ashes; a new mutiny-bill must be formed after the manner of England, and a declaration of right put in the front of it.

As to the legislative powers of the Privy Councils, I conceive them to be utterly inadmissible against the constitution, against the privileges of Parliament, and against the dignity of the realm. Do not imagine such power to be theoretical; it is in a very high degree a practical evil. I have here an inventory of bills altered and injured by the interference of the Privy Councils; money bills originated by them, protests by the Crown in support of those money bills, prorogations following these protests. I have here a mutiny bill of 1780, altered by the Council, and made perpetual; a Catholic bill in 1778, where the Council struck out the clause repealing the test act; a militia bill, where the Council struck out the compulsory clause requiring the Crown to proceed to form a militia, and left it optional to His Majesty's minister whether there should be a militia, in Ireland. I have the money bill of 1775, where the Council struck out the clause enabling His Majesty to take a part of our troops for general service, and left it to the minister to withdraw the forces against act of parliament. I have to state the altered money bill of 1771, the altered money bill of 1775, the altered money bill of 1780; the day would expire before I could recount their ill-doings. I will never consent to have men (God knows whom), ecclesiastics, &c. &c., men unknown to the constitution of Parliament, and only known to the minister, who has breathed into their nostrils an unconstitutional existence, steal to their dark divan to do mischief and make nonsense of bills, which their

Lordships, the House of Lords, or we, the House of Commons, have thought good and fit for the people. No; those men have no legislative qualifications; they shall have no legislative power.

1st. The repeal of the perpetual mutiny bill, and the dependency of the Irish army on the Irish Parliament.

2d. The abolition of the legislative power of the Council.

3d. The abrogation of the claim of England to make law for Ireland.

4th. The exclusion of the English House of Peers, and of the English King's Bench, from any judicial authority in this realm.

5th. The restoration of the Irish Peers to their final judicature. The independency of the Irish Parliament in its sole and exclusive legislature.

These are my terms. I will take nothing from the Crown.

Mr. Grattan then moved, by way of amendment,

That an humble address be presented to His Majesty, to return His Majesty the thanks of this House for his most gracious message to this House, signified by His Grace the Lord-lieutenant.

To assure His Majesty of our unshaken attachment to His Majesty's person and government, and of our lively sense of his paternal care in thus taking the lead to administer content to His Majesty's subjects of Ireland.

That, thus encouraged by his royal interposition, we shall beg leave, with all duty and affection, to lay before His Majesty the causes of our discontents and jealousies. To assure His Majesty that his subjects of Ireland are a free people. That the crown of Ireland is an imperial crown inseparably annexed to the crown of Great Britain, on which connection the interests and happiness of both nations essentially depend: but that the kingdom of Ireland is a distinct kingdom, with a parliament of her own — the sole legislature thereof. That there is no body of men competent to make laws to bind this nation except the King, Lords and Commons of Ireland; nor any other parliament which hath any authority or power of any sort whatsoever in this country save only the Parliament of Ireland. To assure His Majesty, that we humbly conceive that in this right the very essence of our liberties exists; a right which we, on the part of all the people of Ireland, do claim as their birthright, and which we cannot yield but with our lives.

To assure His Majesty, that we have seen with concern certain claims advanced by the Parliament of Great Britain, in an act entitled "An act for the better securing the de-

pendency of Ireland:" an act containing matter entirely irreconcileable to the fundamental rights of this nation. That we conceive this act, and the claims it advances, to be the great and principal cause of the discontents and jealousies in this kingdom.

To assure His Majesty, that His Majesty's Commons of Ireland do most sincerely wish that all bills which become law in Ireland should receive the approbation of His Majesty under the seal of Great Britain; but that yet we do consider the practice of suppressing our bills in the council of Ireland, or altering the same any where, to be another just cause of discontent and jealousy.

To assure His Majesty, that an act, entitled "An act for the better accommodation of His Majesty's forces," being unlimited in duration, and defective in other instances, but passed in that shape from the particular circumstances of the times, is another just cause of discontent and jealousy in this kingdom.

That we have submitted these, the principal causes of the present discontent and jealousy of Ireland, and remain in humble expectation of redress.

That we have the greatest reliance on His Majesty's wisdom, the most sanguine expectations from his virtuous choice of a Chief Governor, and great confidence in the wise, auspicious, and constitutional councils which we see, with satisfaction, His Majesty has adopted.

That we have, moreover, a high sense and veneration for the British character, and do therefore conceive that the proceedings of this country, founded as they were in right, and tempered by duty, must have excited the approbation and esteem instead of wounding the pride of the British nation.

And we beg leave to assure His Majesty, that we are the more confirmed in this hope, inasmuch as the people of this kingdom have never expressed a desire to share the freedom of England, without declaring a determination to share her fate likewise, standing and falling with the British nation.

The motion was seconded by Mr. Brownlow, Mr. Geo. Ponsonby, Mr. Hussey Burgh, Mr. Conolly, Mr. Ogle, and Mr. Fitzgibbon; who said that he had formerly opposed the declaration of right, because he thought it improper and inadequate, but that now, as the nation was committed to obtain a restoration of her rights, every man should stand firm. The question was then put upon Mr. Grattan's amendment, which was carried unanimously.

SPEECH OF THE LORD-LIEUTENANT.

HIS MAJESTY'S ANSWER TO THE DECLARATION OF RIGHTS.

May 27. 1782.

THE House had adjourned for three weeks to wait for the answer of His Majesty to the address of the 16th of April, which set forth the Irish claim of right. On this day both Houses attended the Lord-lieutenant in the House of Peers, when he delivered the following speech:

" My Lords and Gentlemen,

" It gives me the utmost satisfaction that the first time I have occasion to address you, I find myself enabled, by the magnanimity of the King, and the wisdom of the Parliament of Great Britain, to assure you, that immediate attention has been paid to your representations, and that the British legislature have concurred in a resolution to remove the causes of your discontents and jealousies, and are united in a desire to gratify every wish expressed in your late addresses to the throne.

" If any thing could add to the pleasure I feel in giving you these assurances, it is, that I can accompany them with my congratulations on the important and decisive victory gained by the fleets of His Majesty over those of our common enemy in the West Indies, and on the signal advantage obtained by His Majesty's arms in the island of Ceylon and on the coast of Coromandel.

" By the papers, which in obedience to His Majesty's commands, I have directed to be laid before you, you will receive the most convincing testimony of the cordial reception which your representations have met with from the legislature of Great Britain; but His Majesty, whose first and most anxious wish is to exercise his royal prerogative in such a manner as may be most conducive to the welfare of all his faithful subjects, has further given it me in command to assure you of his gracious disposition to give his royal assent to acts to prevent the suppression of bills in the privy council of this kingdom, and the alteration of them any where, and to limit the duration of the act for the better regulation and accommodation of His Majesty's forces in this kingdom to the term of two years.

" These benevolent intentions of His Majesty, and the willingness of his Parliament of Great Britain to second his gracious purposes, are unaccompanied by any stipulation or condition whatever. The good faith, the generosity, the honour of this nation afford them the surest pledge of a corresponding disposition on your part to promote and perpetuate the harmony, the *stability*, and the glory of the empire.

" On my own part, I entertain not the least doubt but that the same spirit which urged you to share the freedom of Great Bri-

tain will confirm you in your determination to share her fate also, standing and falling with the British nation."

Mr. GRATTAN rose, and said, I should desert every principle upon which I moved the former address, (requiring a restoration of the rights of Ireland,) did I not bear testimony to the candid and unqualified manner in which that address has been answered by the Lord-lieutenant's speech of this day. I understand that Great Britain gives up IN TOTO every claim to authority over Ireland. I have not the least idea that in repealing the 6th of George the First Great Britain should be bound to make any declaration that she had formerly usurped a power: no, this would be a foolish caution, a dishonourable condition; the nation that insists upon the humiliation of another is a foolish nation: Ireland is not a foolish nation. Another part of great magnanimity in the conduct of Britain is, that every thing is given up *unconditionally:* this must for ever remove suspicion. On former occasions, when little acts of relief were done for Ireland, it was premised "that it was expedient to do them." No such word is now made use of: never did a British minister support such honourable claims on such constitutional arguments. With respect to the writ of error, though not mentioned in our address, the British minister took it up in the most effectual way, and indeed the whole tenor of his conduct towards us has been most generous and sincere: we had one advantage; he entertained an opinion that Ireland was not insatiable, though it had been asserted that Ireland was insatiable; but we are bound to prove the falsehood of that assertion; for as the nation was pledged to itself to obtain a restoration of her rights, so now, that her rights are restored liberally and unconditionally, she is pledged to Great Britain, who, by acceding to our claims, has put an end to all future questions. We have *now recovered a constitution,* and our business is not to *advance,* but to *maintain* it. Ireland will manifest as much magnanimity in the moderation by which she maintains her constitution, as by the exertions through which it has been recovered. The unanimity with which the British House of Commons acceded to our claims must for ever do them honour; and the single negative in the Lords, whilst it in no wise diminishes their praise, has its use; it serves to discover, and for ever to exclude from trust or confidence in either nation, the man who could not only oppose the interest and happiness of both, but also the ardent wishes and desires of his sovereign to make his people happy. We ought not to forget the able support given by those persons

who composed the late administration of Ireland: it must be highly agreeable to those who compose the present.

The things so graciously offered by our sovereign are the modification of Poyning's law, and not only the abridgment of the mutiny bill in point of duration, but the forming it on the model of the English mutiny bill, and prefacing it with a declaration of right.

As Great Britain and her ministers have unconditionally agreed to the demands of Ireland, I think the spirit of the nation is called upon to make an unconditional grant to England. The sea is the element which nature points as the scene of British glory: it is there we can most effectually assist her. Twenty thousand seamen would be a noble support; and we, who have been squandering the public money, in all the waste of blind extravagance, cannot now surely deem 100,000l. too large a sum, when applied to the common defence of the empire: the sum is trifling, but the assistance of 20,000 Irishmen would be great; and gentlemen will now, when they retire to their different counties, have a full opportunity in assisting to raise those men, of manifesting their zeal for the common cause of Great Britain and Ireland.

There is also another means of support in our power to give to Britain, though it cannot immediately be entered upon. This country is most happily situated for the construction of docks and the rendezvous of shipping: whatever expense might be incurred by such necessary works would be repaid by the expenditure of the money amongst ourselves, and might be supported by a prudent and economical management of the public revenues, in the savings of the army, and in every different class of extraordinaries. An expence of 17 per cent. in the collection of the revenue cannot be justified. The Commissioners will now see that money is to be paid for labour, not for prostitution; therefore let us now enter heart and hand into the great work of reformation, by giving our support to that ministry which has rescued this country from oppression, and will rescue it from corruption. On this principle I shall move you an address, devoid of all that fulsome panegyric so commonly offered to majesty; for I think that truth will be the highest compliment to him.

Mr. Grattan then moved, That an humble address be presented to His Majesty,

To assure His Majesty of our unfeigned affection to his royal person and government; that we feel most sensibly the attention which our representations have received from the magnanimity of His Majesty, and the wisdom of the Parliament of Great Britain.

To assure His Majesty that we conceive the resolution for an unqualified, unconditional repeal of the 6th of George the First to be a measure of consummate wisdom and justice, suitable to the dignity and eminence of both nations, exalting the character of both, and furnishing a perpetual pledge of mutual amity.

To assure His Majesty that we are sensibly affected by his virtuous determination to accede to the wishes of his faithful people, and to exercise his royal prerogative in a manner most conducive to their welfare; and accordingly we shall immediately prepare bills to carry into execution the desires of His Majesty's people, and his own most benevolent purposes.

That gratified in those particulars, we do assure His Majesty, that no constitutional question between the two nations will any longer exist, which can interrupt their harmony; and that Great Britain, as she has approved of our firmness, so may she rely on our affection.

That we remember, and do repeat our determination to stand and fall with the British nation.

That we perceive, with pleasure, the magnanimity of His Majesty to disclaim the little policy of making a bargain with his people; and feeling with pride the confidence he reposes in the good faith, generosity, and honour of the Irish nation, we answer with all humility, that His Majesty entertains a just sense of our character. Common interest, perpetual connection, the recent conduct of Great Britain, a native affection to the British name and nation, together with the constitution which we have recovered, and the high reputation which we possess, must ever decide the wishes as well as the interest of Ireland, to perpetuate the harmony, stability, and glory of the empire. Accordingly, we assure His Majesty, that we learn, with singular satisfaction, the account of his brilliant successes in the East and West Indies, gratified at one and the same instant in our dearest wishes, — the freedom of Ireland and glory of Great Britain.

That we cannot omit expressing our gratitude to His Majesty for appointing the Duke of Portland to the government of this kingdom.

That we are convinced his representations were faithful, vigorous, and beneficial. We are acquainted with his character; and relying on his upright and frugal administration, make no doubt that a free people, and uncorrupt parliament, will unite to give a constitutional chief governor decided support.

That we have presumed to lay before His Majesty our

genuine sentiments on the change of our situation. His Majesty will receive them as the voluntary, unstipulated tribute of a free and grateful people."

Mr. Brownlow seconded the motion. Some objections were made to the words, "that no constitutional question can any longer exist which could interrupt the harmony which exists between the two nations," lest that passage might be construed to preclude any future address on matters that might require regulation or amendment. Some observations were likewise made on the speech of Mr. Fox in the British House of Commons, in which he was represented as maintaining the right of Great Britain to external legislation over Ireland: Mr. Flood alluded to this; but at the same time declared he did not entertain a murmur of discontent.

The Address was then agreed to by the entire House, with the exception of the Recorder (Sir Samuel Bradstreet), and Mr. Walshe.

The following Address was then voted to the Lord-lieutenant.

"May it please Your Grace,

"We, His Majesty's most dutiful and loyal subjects, the Commons of Ireland in parliament assembled, beg leave to express our most unfeigned acknowledgments for your excellent speech from the throne; and we do beseech Your Grace to be assured that these are not the trite expressions of mere formal duty, but the pure effusions of genuine gratitude from a free people to a Chief Governor, who has announced from the throne *the ratification of their freedom*, descended from a line of constitutional ancestors, inheriting their principles with their blood.

"The appointment of Your Grace to the government of this country was an earnest given, by a beneficent prince, of those gracious intentions which he has since so fully manifested to his people; and amidst the entire satisfaction which we experience from the important information which Your Grace has been pleased to communicate, we cannot but rejoice that the name of Bentinck, so intimately connected with the great æra of British liberty, will be handed down to the latest posterity, inseparably blended with the full and perfect establishment of the constitution of Ireland; and we have the best founded expectation that a nobleman, in whose virtues both countries have the justest confidence, will for ever cement those friendly and affectionate dispositions, which it is our earnest wish should at all times mutually continue between the two countries."

This Address was presented to the Lord-lieutenant by both Houses. They proceeded from the House of Parliament to the Castle in a manner unusually splendid, and amidst the numerous files of volunteers who lined the streets on the occasion.

To this Address His Excellency, on the 30th, returned the following answer:

"Gentlemen,

"I return you my most sincere thanks for your kind and affectionate Address, and receive, with singular pleasure, your animated and honourable expressions of gratitude and entire satisfaction, arising from those declarations which the benign wisdom of His Majesty and the British Parliament has enabled me to make from the throne. I shall think myself fortunate indeed if the period of my administration in this country shall prove the æra of reciprocal and inseparable affection between Great Britain and Ireland, — an æra sacred to every friend, and formidable to every enemy, of the British empire."

The Answer of His Majesty to the Address of the 16th of April.

"GEORGE R.

"His Majesty receives with pleasure the assurances of the House of Commons of Ireland, of their unshaken attachment to his person and family.

"It gives His Majesty the highest satisfaction to observe, that in their opinion, in which His Majesty perfectly concurs, the constitutional connection between Great Britain and Ireland is essential to the interests and happiness of both nations, and that it is the determination of his people of Ireland to share the fate of, and to stand and fall with, the British nation.

"His Majesty conceives that these principles cannot fail to contribute to the accomplishment of his earnest desire to remove all cause of discontent and jealousy; with that view His Majesty has recommended this weighty and important subject to the consideration of his Parliaments of both kingdoms, trusting that their united wisdom will suggest such measures as may terminate in a final adjustment to their mutual satisfaction.

"With the same view His Majesty intends forthwith to communicate to the Lords and Commons of Great Britain the addresses of the Lords and Commons of Ireland.

"G. R."

The Answer of His Majesty to the Address of the 27th of May.

"GEORGE R.

"His Majesty has received with the most sincere satisfaction, the dutiful and loyal address of his House of Commons of Ireland: His Majesty assures his faithful Commons of his affectionate

acceptance of their grateful acknowledgments, for the attention which His Majesty and the Parliament of Great Britain have shown to their representations, and which they so justly consider as furnishing a perpetual pledge of mutual amity.

"The declarations of the House of Commons, that no constitutional question between the two nations will any longer exist that can interrupt their harmony, and that Great Britain may rely on their affections, are very pleasing to His Majesty.

"His Majesty is fully convinced, by their present professions of entire satisfaction and dutiful attachment, that His Majesty always entertained a just sense of their character: the zeal which they have shown to perpetuate the harmony, and their determinations to uphold the glory of the empire, justify His Majesty for having, on his part, given the most unequivocal proofs of his royal confidence in the honour and good faith of the Irish nation.

"G. R."

It was then resolved, "That an address be presented to the Lord-lieutenant, requesting that a day of public thanksgiving may be appointed, to return thanks to Divine Providence for the many blessings of late bestowed on this kingdom, and particularly for that union, harmony, and cordial affection happily subsisting between the two kingdoms of Great Britain and Ireland, whose interests are inseparably the same."

The following measures were then proposed, and passed without opposition.

Mr. Grattan moved, "That a sum of 100,000*l.* be granted, to raise 20,000 seamen for His Majesty's fleet."

He brought in a bill to punish mutiny and desertion, and to repeal the perpetual mutiny act.

He also brought in a bill to reverse erroneous judgments and decrees. (This included writs of error, and settled the final judicature of Ireland).

Mr. Yelverton brought in a bill to repeal Poyning's law.

Mr. Forbes brought in a bill for securing the independence of the judges, and the impartial administration of justice, by making their commissions during good behaviour.

Sir Edward Newenham brought in a bill to secure the freedom of elections, by excluding certain revenue officers from voting thereat.

Mr. Fox introduced into the British House of Commons a bill to repeal the 6th of George the First.

All these respective measures became the law of the land; and thus was effected, without bloodshed, a great revolution. The political situation of Ireland underwent a total change, and her liberties and independence were finally recovered.

GRANT TO MR. GRATTAN.

May 31. 1782.

ON the 27th, Mr. Bagenal (member for the county of Carlow) proposed that a grant should be made to Mr. Grattan, for the services he had rendered the country. He rose, and said:

"I congratulate this country, we have at last got that liberty which all free nations should possess: it is our birthright, and in our meridian there is no life without it: our existence now begins, and will depend upon what use we make of the population and wealth that will result from the advantages of a free constitution.

"I congratulate England: instead of a nominal or a repugnant dependant, she has now a powerful, faithful ally, — one that she can never exist without.

"I congratulate His Majesty: he has conciliated three millions of such subjects as must make him happy: men as willing to be loyal as they are determined to be free.

"I congratulate His Majesty's ministers also: they may now depend upon such support as they ought always to look for. And to whom does the empire owe all this? to a man, principally, who is resolved to take no reward from government. I will not pretend to say he was wrong, though I know that such merit ought to be distinguished in every manner that is possible. Shall every body have what they ought to have, except him alone, to whom every individual in this empire is so much indebted, and by whose example every individual in the universe may be so much benefited? He has saved this empire from an iron age, and has restored an unequivocal golden one. By our affectionate alliance with England, we shall not only be benefited ourselves, but shall see a sister-country revive, without any painful repining or apprehensions for her prosperity.

"In these happy circumstances in which he has placed us, (though I honour every private compliment, for such I may call those that I see paid to our illustrious benefactor,) I believe there is no man that would not blush to think a Grattan's child might point at a statue or monument that has often been dedicated to slender or problematical merit, and say, 'That was my father's, your benefactor's, only reward.' I have, therefore, a motion to make, which might appear like presumption in me, as it is of so much importance to the glory and interests of this kingdom, if I could suppose that any member of the British empire could give it a negative; it is, That we should take into consideration what sum we should grant for the purpose of purchasing a seat, and building a suitable mansion, for our great benefactor, in testimony of our gratitude for the unequalled services that he has done for this kingdom. Were we to omit this, or were we to do it in a manner unsuitable to the situation he has raised us to, we should be very

ungrateful, and never might we expect that a blessing could attend it.

"It must be needless to say any thing in favour of such a measure, or I would not dare to be the mover of it. I will only add, that, as he has left nothing undone that is material to the prosperity of this kingdom, it can no more lay a precedent for hurtful grants of the same nature here than Blenheim did in Great Britain.

"Far be it from me to compare even the services of *Marlborough* to those for which we stand indebted: we have no deductions to make from our gratitude. Without delay, without any public expense, his efforts have been timed, and conducted with so much wisdom, — and the appearance of such a being on earth was so essential to the establishment of liberty at this most critical juncture, — that without superstition, men may well record him amongst the most propitious interpositions of Heaven.

"He has crowned his work; and under his auspices the throne of freedom is fixed on so certain a basis, and will probably be always so well supported by the due influence the public are likely to acquire under his system, that, with the blessing of God, there is no danger of Parliament itself ever being able to shake it.

"I am conscious I must have anticipated men infinitely better qualified to bring such a measure forward: one excuse I have; for it is not the impatient wish that every body must have to see such a character exalted; not any little vanity to distinguish myself; but, as I never had any private acquaintance, nor private conversation with our great benefactor, I thought it might come as well from one from whom he could not have any intimation of the subject, as from the most distinguished personage he is acquainted with.

"Virtue, to be sure, is its own reward; and we know that our generous benefactor is, in his own sphere of happiness, content. But shall we be content without doing our duty? Shall we be ungrateful?

"Gratitude seems to be a virtue peculiarly adapted to nations that have received such benefits as ours. It is often neglected by individuals, because it is often out of their power to be as grateful as they wish. We, I trust, shall never have such another opportunity of exercising ours. God forbid we should let this pass!

"To-morrow, after the grant to His Majesty is settled, and after a proper thanksgiving is offered to Heaven for the happy recovery of our rights, I will move, 'That the House do resolve itself into a committee, to take into consideration what sum we should grant for the purchasing an estate, and building a suitable mansion, for our illustrious benefactor, Henry Grattan, Esq., and his heirs for ever, in testimony of our gratitude for the unequalled service that he has done for the kingdom of Ireland.'"

Mr. Gardiner rose to express a wish to have the motion postponed, until it would be honoured with the concurrence of the fullest House.

Mr. Bagenal gave notice that he would make the motion on the Wednesday following.

Mr. Grattan having made an attempt to speak, his words were drowned in the cry of Adjourn! adjourn! After which the House adjourned.

On the 29th, Mr. Bagenal moved, "That this House will, to-morrow morning, resolve itself into a committee of the whole House, to take into consideration what sum of money it may be necessary to grant for the purpose of purchasing an estate, and building a mansion to be settled on Henry Grattan, Esq., in such manner as the committee shall think fit, in testimony of our gratitude for the unequalled services that he has done this kingdom."

On the 30th, the order of the day being read, Mr. Bagenal rose, and said, That when a sum of any magnitude was to be granted, there were three things to be considered, — justice, economy, and the dignity of the nation. In justice, we must consider what the grantee's services were, and what he would have made in his profession, if he had attended to it as closely as he has done to the interests of the public. He said, that men of inferior abilities to our benefactor might have made 50,000*l.*, and that in a few years he might double it, if he was to dedicate himself to that pursuit, instead of superintending the constitution, which he had established for us. As to economy, can any body doubt but that he will employ his fortune, as he has done his ability, for the good of the public? What we were going to grant, if done handsomely, would operate as the most economical and noble bounty: it would be very bad economy indeed to stint such a steward. As to the glory of the nation, we are still in wretched circumstances, if we cannot afford to grant a sum competent to do ourselves credit, and to give leisure with dignity to our worthy benefactor, to dedicate himself solely to the welfare of the public. He then made his motion, "That 100,000*l.* be granted for the purpose of purchasing an estate, and building a mansion, for Henry Grattan, Esq., and the heirs of his body."

Sir Henry Cavendish said, Mr. Grattan's own delicacy would not permit him to accept of such a sum. He declared himself as strong an advocate for the proposition as any gentleman in the House, because, in his opinion, Mr. Grattan had revived the name of patriot, and patriotism. He was willing to give him an ample sum: half the money moved for would purchase 2,000*l.* per year, and 10,000*l.* would be amply sufficient to erect a house, and procure a proper equipage.

Mr. Osborne declared he felt a sensible pleasure in supporting a motion which tended to promote the honour of the kingdom, as it would be a record to future ages, that an Irishman had rescued the constitution of the nation. Britain has paid such a tribute to the memory of Lord Chatham, who had saved one kingdom. What then must be due to their greater Grattan, who had restored the constitution of three kingdoms? Whatever reward they would bestow, it would not equal his merit. They should make the reward of

virtue as ample as possible, which, in every instance to the contrary where corruption had been gratified, should meet their indignation.

Mr. Denis Daly paid a tribute of admiration to the conduct of Mr. Grattan; but he thought it better to suit the reward to the moderation of his desires, than to the greatness of his merit. He begged of the House not to force that moderation; for he was convinced, if the sum moved for should be voted, the gentleman would return part of it into the coffers of the state; and if they put him to that necessity, they might easily conceive what part of it he would return.

Mr. Alexander Montgomery said, he was proud they had struck out the way of stimulating men to become true patriots; but at a time that the nation was in debt, and distress at their door, they should seriously think of their grants, though he did not mean to oppose the present. The distresses which threatened the poor in the ensuing winter might possibly call for every resource the House could furnish. They had been mean enough to accept of 50,000*l.* from England, which still remained unpaid; 50,000*l.* was granted that day, and 100,000*l.* yesterday: he thought it too much; and they should be just as well as generous.

Mr. Cuffe thought no reward too great for the obligations due to Mr. Grattan; but he was certain he would not accept of the sum proposed; nor circumstanced as it was, could the nation well bear such a grant.

Sir Boyle Roche said, that the House had only anticipated the desires of the people, who, if Parliament had neglected to reward their benefactor, would certainly have petitioned in his behalf. What exalted Rome to greatness, but the care she took to reward virtue, and to distinguish those who distinguished themselves in her service. England has followed her example: she rewarded the Duke of Marlborough, she rewarded the Earl of Chatham, but we have more abundant cause to reward our great patriot; and if yesterday it was right to vote 100,000*l.* to England for restoring our rights, surely this day it is right to vote the same sum to him who caused that restoration.

Mr. Bagenal did not think the nation in such a situation but that they might promise more for raising troops. Ireland was like an heir in the prospect of a good fortune, and like minors, they might venture to spend a little before they come to their estate. When he made the motion, he could not for the dignity of the nation think of a less sum; but as gentlemen differed with him on that head, and as it came from Mr. Grattan's particular friends, he should alter his motion to 50,000*l.*

Mr. George Ogle said he entirely concurred in conferring a reward so justly due to such exalted merit: he hoped this country would never incur the reproach that was cast upon Athens, who rewarded her saviour (Miltiades) with a picture.

Mr. Montgomery of Cavan expressed his concurrence.

Mr. Conolly said he had great pleasure in bestowing a reward on

that excellent man, whose eloquence could only be equalled by his integrity. He might, he said, be truly called the saviour of his country. He was not much used to panegyric; but he was happy to inform the House, that the Lord-lieutenant did most perfectly coincide in their generous intentions, so congenial to his own feelings; and that the memory of such great events might be perpetuated, he wished to relinquish to the object of the nation's esteem that house in the park, which Parliament had lately purchased for the country residence of His Majesty's representative. This house, properly furnished, with an annuity of 2500*l.* secured by act of parliament to Mr. Grattan and his heirs, would be a handsome grant, and less burdensome to the nation than the 50,000*l.* proposed. He knew the mind of the gentleman in question, and was certain that nothing could be so distressing to him as to distress the kingdom.

Mr. Metge hoped they would not confine the sum, but leave it at large to the individual to possess in what manner he pleased, or at least confine it to his male line. If he should leave male heirs, the public would be gratified in the possessors, but if he should have female heirs they might marry beneath the dignity of their father; and in such case, if it were possible, it would make him unhappy to know the national bounty should turn to such a channel. His idea was to leave it to Mr. Grattan's own disposal, for he knew his generosity was such, that nothing could give him greater pleasure than to let this bounty revert to that public from whose hands he received it.

The Provost observed, that every one wished to manifest his approbation of Mr. Grattan's merit, by agreeing to the address proposed. He was convinced his right honourable friend (Mr. Conolly) had not any desire to alter the intention of the House. What he had proposed was but an effort of his zeal; nor could it be wondered at that the friend of His Grace the Lord-lieutenant, should speak his warm and grateful feelings to that restorer of the rights of Ireland. The idea of offering him the residence provided for vice-royalty could never be offensive; that, together with 2500*l.*, was much more than was demanded, though by no means as much as was merited. How great his merit was, indeed, he could not express, but would say with the poet,

"Words would but wrong the gratitude we owe."

The sovereign should be left the opportunity of rewarding so great and useful a subject. Lord Chatham, besides 20,000*l.* advanced for paying his debts, received a grant of 3000*l.* a-year first, and 4000*l.* a-year was confirmed to his family after; and great as the abilities of Lord Chatham were, he was not so deserving as the object of the present motion.

The Right Honourable Mr. Fitzpatrick said, he did not rise to give even the shadow of opposition to an address, as honourable to that House as it was to the gentleman in whose favour it was moved; on the contrary, it met with his warmest approbation. The gentleman who was the subject of the present motion, he not

only held in the highest personal esteem, but his character was well known and respected in every country in Europe: were he, therefore, to let this motion pass in silence, it might be deemed a sullen acquiescence.

The address was unanimously passed.

On the 31st, the report from the committee was agreed to, "That an humble address be presented to His Grace the Lord-lieutenant, that he will be pleased to lay before His Majesty the humble desire of this House, that he will direct the sum of 50,000*l.* to be laid out in the purchase of lands in this kingdom, to be settled on Henry Grattan, Esq., and his heirs, in testimony of the gratitude of this nation for his eminent and unequalled services to this kingdom; and that this House will make good the same."

Ordered, that such members of this House as are of His Majesty's most honourable privy council do attend His Grace the Lord-lieutenant with the said address, and lay the same before His Grace as the address of this House.

SIMPLE REPEAL.

MR. FLOOD'S MOTION RESPECTING THE SIMPLE REPEAL OF THE DECLARATORY ACT OF THE SIXTH OF GEORGE THE FIRST.

June 14. 1782.

ON the 11th June, Mr. Flood stated, that a bill to repeal the 6th of George the First, which claimed the right on the part of England to make law for Ireland, had been brought into the English House; that he objected to its being a simple repeal, as that was not a renunciation of the principle, and did not prevent its revival at any future period; the mere repeal of a declaratory law did not affect the principle, it left the law where it found it; that a renunciation of the claim was necessary for Ireland, and that it became requisite to obtain legal security against the resumption of the right: he accordingly moved, with reference to the connection of the two kingdoms, the following resolution: "That a solid basis of permanent connection does at present subsist between Great Britain and Ireland, inasmuch as they must by law always have one common sovereign, and that the approbation of that sovereign under the great seal of England must be had to any bill before it can become law in Ireland." *

Mr. Yelverton differed in opinion from Mr. Flood: the motion was generally opposed; and Mr. Daly moved the order of the day, which was carried without a division.

* For this speech of Mr. Flood's, see Appendix.

On this day (the 14th) Mr. Grattan mentioned that an act had passed in the British Parliament within a few days, permitting the importation of specified goods from certain islands into any of the ports of His Majesty's dominions. He conceived though Ireland was not named, yet she was comprehended: he mentioned the circumstance merely in order that greater care should be taken in future in wording similar acts; at the same time, he was convinced it was not intended that Ireland should be included in the act alluded to, as, by the repeal of the 6th of George the First, the claim of legislation was done away; and he depended more on the faith of England than on the mere repeal of the act of George the First, because England was now pledged to this country by the firm compact of the faith of nations. Mr. Fitzpatrick said that there was a difficulty in wording the act mentioned by Mr. Grattan. To except Ireland by name would have had an invidious appearance, and to enumerate every place in His Majesty's dominions would have been uncertain and almost impossible: but it was at the time clearly understood that the act did not apply to Ireland, and that the claim and exercise of the usurped power was extinguished for ever. Mr. Flood then rose; he said, that the act impliedly did include Ireland; that the repeal of the 6th of George the First did not surrender the right claimed by England to bind Ireland; that the mere repeal of a declaratory act did not renounce the principle; and that nothing but a final renunciation of the principle would afford to Ireland adequate security: he therefore moved, "That the opinion of all the judges be desired on the following question: 'Does the repeal of the declaratory act amount, in legal construction, to a repeal or renunciation of the legal principle on which the declaratory act grounded itself?'" Mr. Fitzgibbon said, he had foreseen all these difficulties before: it seemed as if England would not yield any thing that appeared to disclaim her assumed right over this country, and it was better to insist on a renunciation now.

Mr. Yelverton opposed the motion, and declared that Mr. Flood was totally mistaken.

Mr. GRATTAN said, If the security that the honourable gentleman desires be a British statute, I reject it: I would reject Magna Charta under a British statute. We have not come to England for a charter, but with a charter; and we have asked her to cancel all her declarations made in opposition to it. This is the true idea of the situation of Ireland: — no man will be content with less than a free constitution; and I trust no man will be frantic enough to hazard that, in attempting to gain more. I should have been pleased if the renunciation of the claim had been made, but as it is, I think the repeal of the 6th of George the First, to every ingenuous, rational, and honest man, must show that England is sincere, and by giving up the final jurisdiction, she has scarcely left a possibility

of renewing her claim. There are certain rights inherent in parliaments which they cannot relinquish or give up. Now, though the present Parliament of Great Britain has renounced all claims to bind Ireland, yet a man who has a mind to argue with impossibilities, may say, We are not secure, because a future English parliament may think themselves entitled to exercise a power which their predecessors could not relinquish. Thus we may go on with a spirit of insatiety, supposing ideal dangers, and finding food for perpetual discontent, if, when matters are brought to a final adjustment, gentlemen choose to break new ground, and go into further discussion. Our address went to obtain from England a renunciation; and she has yielded that, in the late repeal, which is, in fact, a repeal of the principle itself. Our own act expressly cut off the English from the power of making any future laws to bind this kingdom. We asked but a repeal of the act, and the act was repealed; and yet, after all this, the matter is now to be opened afresh. Can any thing be more dangerous, after the treaty is concluded, than to think of such a measure? After the faith of England has been pledged, with a full recantation of her assumed power! The two principles by which I guided myself in this business are accomplished; the first, to obtain liberty for Ireland; and the second, to obtain that liberty with as little chance of danger as possible. But, from the very emphatic manner in which the right honourable gentleman has spoken, and the very strong figures in which he has conveyed his language, it would seem as if the nation was called on to believe that the country had been betrayed, and that the right honourable gentleman was the only man who could be found to stand up for the constitution.

The order of the day was then called for, and carried; and Mr. Flood's motion was consequently lost.

MR. FLOOD'S MOTION RESPECTING THE DECLARATORY ACT OF THE 6TH OF GEORGE THE FIRST.

July 19. 1782.

ON the 17th Mr. Flood expressed himself dissatisfied with what had been done regarding the independence of the country. He said, that his object was to obtain legal security; he gave notice that he would bring forward a question on the subject on the 19th, and this day he made his promised motion. He recapitulated the

arguments that he had used before, and considered that legal security was the best security that could be obtained. The crowns of the two kingdoms were already united by an Irish law, declaring that whoever wore the imperial crown of England should also wear the imperial crown of Ireland: his object now was, to secure the rights of Parliament as well as those of the Crown, as he thought the late transactions totally inadequate to the security of the rights of Ireland: the 6th of George the First was a declaratory law; and a declaratory law only stated what the law previously was, but did not enact a new law, and therefore left the law as it stood before: he accordingly moved, "That leave be given to bring in heads of a bill for declaring the sole and exclusive right of the Irish Parliament to make laws in all cases whatsoever, internal and external, for the kingdom of Ireland." This was supported by Mr. English, Mr. Brown, and Mr. Walsh: it was strongly opposed by Mr. Bagenal, Mr. Brownlow, Mr. Ogle, Mr. Bushe, Mr. Hartley, and Mr. Yelverton: they said that Mr. Flood had very properly called it the shadow of English legislative authority, and that his bill would go to admit, that the right to legislate for Ireland had existed in England, and to deny that the right to self-legislation was inherent in Ireland: the ablest lawyers were of opinion, that the repeal of the 6th of George the First was sufficient; Mr. Flood himself had admitted it by his vote of the 16th of April and 27th of May; that it was idle to call for the renunciation of a power that was abandoned; the bill which he suggested was a most injurious measure; it went to excite discontent and create doubts when the people were satisfied, when a universal joy existed throughout the country, and after they had obtained all that England could give, and all that Ireland had demanded.

Mr. GRATTAN rose, and said, I wish the subject had not been renewed. Whatever was the original question, that question exists no longer; to renew it, makes this House the theatre of envy, ostentation, and egotism, and wastes the public time by reviving a subject which liberty does not determine, because liberty did not excite, and which is continued by the passions that engendered it — rancour and disappointed ambition.

I enter on it therefore with peculiar reluctance, but with this justification, that were I to decline the question, I should betray the defence, — the defence of myself and others, who took an early, active, and uniform part in the recovery of your liberties, when those who have been clamorous of late, were silent.

I will state why this House and the whole nation did at first expect that Great Britain should relinquish her claim of legislative supremacy over the kingdom of Ireland by the repeal of the act wherein that claim was advanced, namely, the 6th of George the First, because this act contained the prin-

ciple expressly, because the act *of course* put the claim in issue, because the repeal was then the natural and technical manner of doing away the claim.

Gentlemen will please, for a moment, to recur to four very important periods, first, when Mr. Eden, in the British House of Commons, moved for a repeal of the 6th of George the First, without a preamble, and with a reserve of that part which went to the judicature. Mr. Eden was in fact no longer secretary; his friends were no longer ministers: he went to England to give to the false, and to take from the new ministry the glory of relinquishing the legislative supremacy of England over Ireland; and what method did he take? — Repeal without preamble.

It has been said, that the repeal was not argued on the principle: the assertion is totally unfounded: almost every man of every party spoke on that day who speak on any day; and they argued the motion on the principle only. "He is come over post, (they said), to cede the dearest rights of the British nation." How? by the repeal, — repeal without preamble. Nobody then said it was doing nothing: no man on either side said so: the proposition was received in the British House of Commons as the account of it was received by the Irish nation — as a proposition to cede the legislative power of England over the kingdom of Ireland: the principle was thus conceived to be put in issue.

The next period to which I refer was a few weeks after this motion; the 16th of April, 1782. I remember well the debates of that day: I ventured to recite a certain list of measures; I have that identical paper now in my hand, from one tittle of which I have not departed. Such a modification of the law of Poynings as took from one Council the power to suppress, and from both the power to alter Irish bills. A mutiny bill, limited to two years, with the articles of war recited, and the declaration of right prefixed, the restoration of final judicature, both at law and equity, the repeal of the 6th of George the First *in toto*. Did any man then say that the repeal would do nothing? Has any man who sat silent then, a right to tell us, that the repeal did nothing? but of all, that man who afterwards said "the repeal liberated the hands of the king," — expressly, in so many words, — "liberated the hands of the king?" Has any man a right to sit on the watch, and wait the event of measures, with a malignant reserve, if measures fail, to condemn their extravagance; and if they succeed, to exclaim at their inadequacy? Did any man then talk of renunciation? Had any man then said, that an express renunciation was necessary, why then, indeed, some

further clause might have been pressed, — not to give you liberty, but to prevent such a man from giving you discontent, after others had given you liberty.

But no such objection was made; the repeal was stated then as the mode of doing away the claim of England; and in that mode there was a most entire acquiescence.

I come now to the third period, the 17th of May. When the repeal was proposed by Mr. Fox in the House of Commons, it was a general debate, and every man admitted the repeal was a dereliction of the power. Those who had before, in high strain, asserted the authority of the British Parliament over Ireland, read their recantation then: Mr. Fox was much misrepresented: he argued on the principle entirely; he ceded the authority as entirely, in as express terms, as the declaratory act had maintained it: he did not reserve external legislature: he said no such thing: he said that the Parliament of England might have so exercised its legislative authority over Ireland in external cases, to serve the empire at large, but had abused her power in external as well as internal cases: he never made two distinct rights, one internal and the other external; nor conceived external cases as any else but the exercise of one and the same principle of legislation, which, he said, was not founded in natural right. I have heard accounts of the debate from many of the Irish then present, and all have united in the account I have stated.

Mr. Fox published an address to the freeholders of Westminster about the time of the repeal; and defending the propriety of acknowledging the independency of America, he writes, "See the advantage you have reaped from acknowledging the independency of the Irish Parliament: she gave you 20,000 seamen." Mr. Fox, in his speech on the Jurisdiction Bill, asserted the same principle. Lord Loughborough spoke also in this debate: he opposed the repeal; he gave his reason, "because the authority of the British Parliament fell by it," — by it fell the act of navigation, and several others formerly enacted by the British Parliament over the Irish realm. I do not state these as records, but as facts; and I am the more warranted to state these debates, because they have been mis-stated as facts, and then argued from as records, and conclusions drawn as impudent as the stating was disingenuous; but if debates are an illustration at all of law, that illustration should arise from a true, not a fallacious, account of them.

I now come to the fourth period. When the account came that the 6th of George the First was to be repealed, and the

resolutions of Mr. Fox and the Earl of Shelburne were transmitted.

You have not forgotten the joy of that moment, nor the anxiety of the moment before, when reports were circulated, and when doubts were entertained, whether we had not asked too much, chiefly by those who were afterwards ready to say we had asked too little. Let me suppose at that moment I had opposed the general sentiment, and on the 27th had declared that the repeal did nothing; I appeal to the candour of gentlemen, whether they would not have left me in a wretched minority? Would they not have said, that by calling for express renunciation or express recognition, you bring on a question of original right, about which we cannot agree, and you embarrass the question of present liberty, about which we are agreed?

Would they not have added, that the restoration of final judicature made it a matter of still less consequence, whether England expressly renounced the claim of making law for us, because Ireland became the only judge of what law bound her? that the final judicature in the Irish Parliament was a constant subsisting living security against the legislative claims of Great Britain, and rendered the dead security of a renunciation nominal? and that, by refusing to accept of the repeal, we stopped a system of measures, mutiny bill, &c. &c., and risked the living security for the dead letter? that if express renunciation were *eligible words*, they would follow things, and a more flattering form would come after the substance? Would not gentlemen have added, that this nation would not be committed every day, nor the public mind, already thrown into a fever, tortured once more? But the question was tried: the objection to the repeal was started on the 27th, when it appeared that the objection was relied on by two only; some, who have been more loud since, were silent on this subject then, and vanished. I did most heartily acquiesce in the opinion of an almost unanimous House.

It is easy now for men to express their zeal when the difficulty is over, and to contend for us on the ground which we have made for them. They who lamented the bringing on a declaration of right, may, after that declaration and after the repeal, call for a renunciation: when the breach is made, the coward may enter, and is most likely to be the most licentious, but his activity is a proof that the business is done, and the danger is over.

It is necessary, before I proceed farther, to take notice of a pamphlet attributed to a noble lord in the English House

of Commons, and addressed to a high-spirited corps of volunteers, on the legal subject of repeal and renunciation. The whole of the pamphlet may be reduced to two positions; one of them is as follows: That if a renunciation had been asked by those who had authority to do so on the part of Ireland, it had been acceded to. What renunciation? not a disclaimer of the right; the author does not attempt to say it, nor could he say it with truth; for the fact is notoriously otherwise, that renunciation could not have been obtained then, nor have you obtained it now: no; but the author states an act of the British Parliament, renouncing her right to bind Ireland; *her* right, a renunciation which you would refuse. His first position then amounts to this, that England was ready to give what you would not, and ought not, to have accepted.

His second proposition states, that the second resolution, declaring that the connection of the countries ought to be placed on a solid base, intended as follows: That Great Britain would secure by acts of her own the liberties of Ireland, and in the meantime would prove her sincerity by the repeal. This is not *founded;* it is a strange conception; England may covenant to restrain her usurpation by her acts; but England cannot by *her* acts secure our liberties: but England had no such idea. The second resolution intended a treaty between the two countries, with a view to secure their co-operation in peace and war, and the foundation of that resolution, the necessity of some combining power. The control of the British Parliament being at an end by the repeal, the motion did not mean to secure the liberty of Ireland by farther acts, but her union; her dependency being at an end by the repeal, and a congress, or treaty, being rendered expedient as a substitute for a power that was no more, that scheme died in its difficulties.

I ask pardon for taking up so much of your time on the subject of an electioneering pamphlet. My apology is, that I have reduced the whole to two positions; a fallacious security, and an unfounded assertion.

I shall be always happy when the courtiers of the crown become courtiers of the people: it is a proof of your strength, if not of their sincerity, *crepat ingens Sejanus — idem populus, hæc ipsa Sejanum dicerit hora Augustum*; it is a decided signal of your triumph, when you behold the old servants of the court among the worshipping captives of the people. The people of Lisburne have shewn admirable sense on this occasion: they took the noble advocate for liberty at his word, thanked him for his services, applauded him for his zeal, and

turned him out of his borough and his county. I have heard of many practical jokes, but I never heard of one that more abounded in justice.

I have stated the reason why the mode of relinquishment was by repeal. I shall now trouble you with a few observations on that mode; and first, I must observe, that the question has been falsely stated. The repeal has been called simple: nothing can be more false; the records of both countries give the lie to such a statement: it was hazarded, in the first instance, with much effrontery; that gabble was afterwards circulated with industry, and became the ready cant in every wretched and ignorant publication. The repeal is not simple; the messages of the King, and the resolutions of the English Parliament, the addresses of the Irish Parliament, and the resolutions of the British, are, *of necessity*, connected with it, and make it a part of a great and manifold transaction.

First, a message from the King to the respective Houses of the British Parliament, stating that certain discontents had prevailed in Ireland, and proposing them to their most serious deliberation.

Secondly, the message of the King to the respective Houses of the Irish Parliament, desiring to know the causes of their discontents and jealousies.

Thirdly, the address of the Lords and Commons of Ireland, protesting against the claim of legislative power in the British Parliament, and the act wherein that claim was declared as the principal cause.

Fourthly, a message from His Majesty to the respective Houses of the British Parliament, referring that protest of Ireland to the consideration of the Parliament of England.

Fifthly, a motion in the respective Houses of the British Parliament, referring that protest to their committees appointed to sit on the affairs of Ireland.

Sixthly, the report of these committees thereupon, that the 6th of George the First ought to be repealed.

Seventhly, the message of His Majesty to the respective Houses of the British Parliament, informing you that he had referred your protest to the Parliament of Great Britain.

And lastly, copies of the English resolution, that the 6th of George the First should be repealed; laid before you by His Majesty's command.

This is the transaction which has been called simple, and every part of it is a *record*; — the message of the King to his English Parliament, to consider the state of Ireland, is a *record*.

The message of the King to the Irish Parliament, to know the causes of your discontents and jealousies, is a record.

The address of the Irish Parliament, protesting against the claim of England, is a record.

The message of the King to the Lords and Commons of England, referring that protest to their consideration, is a record.

The resolution of both the English Houses, referring that protest to their committees, is a record.

The report of these committees thereupon, that the 6th of George the First ought to be repealed, is a record.

Repealed on what foundation? on the foundation of your protest against the supremacy of the British Parliament?

Your address is a protest, and their repeal an assent to it. *Repealed* to accomplish what? to remove the cause of your discontent and jealousy: the principle repealed to accomplish what? a final adjustment with Ireland: at whose mediation? the mediation of the common sovereign in four addresses to his respective parliaments, desiring one parliament to state its grievances, and referring that statement to the consideration of the other: are not these things so?

I have in my hand the proceedings of both parliaments, extracted from their journals. The man who now calls this simple repeal, must maintain one or the other of two things; that these proceedings do not relate to the repeal, which is nonsense, or that these proceedings are not recorded, which is false. Do not imagine that nothing is recorded but what is in the statute books; the journals and written proceedings of each House of Parliament are records, and more legible and intelligible than the common law of the land.

But these records were not alluded to: many who argued most fiercely on the repeal, never read the act repealed, the act repealing, nor any one of the proceedings relating to it: like other records, they were not adverted to; like other records, kept enrolled among the proceedings of Parliament; they were not resorted to by those who presumed to sit in judgment upon them; had they not been records, but transitory paragraphs, they had met with a more serious perusal, and a fairer interpretation.

If you say that the records of one country cannot explain the proceedings of another, in this case, I deny it: these records are mutually referred to, and are made parts of a joint transaction, parts of the same treaty.

I appeal to the English journals to prove that your addresses were referred to the Parliament of that country; and

to their journals to prove that their resolutions on those addresses were referred to the Parliament of that country; and to your journals to prove that their resolutions on those addresses were referred to the Parliament of this, and both by the commands of His Majesty, as appears from the journals of both kingdoms.

Your protest is laid before the Parliament of Great Britain as the ground of their proceeding; their resolutions on that protest are laid before you as a ground for your proceedings, that you may speak your satisfaction with respect to them, and this by the King, who interferes to form and conclude the treaty.

Look to the jurisdiction bill: the right claimed by the addresses of Ireland; doubts have arisen whether the liberties claimed in these addresses are secured by the repeal: here your addresses are not recited, but referred to by the Parliament of England as proceedings before them, and as explanations of their own act: they make the Irish record explain an English act: why? because it was laid before them at the repeal, and adopted into their proceedings.

If it is asked, why should the relinquishment of the claim of England be the result of a transaction in the nature of a treaty, instead of an express clause in an English act? I answer, because we do not word English acts of parliament; but if you ask, why I conceived such a relinquishment sufficient? I answer, because it is as binding on England as if it had been contained in an express clause. I further say, that a solemn recorded transaction between two nations, a treaty carried on by their parliaments, and recorded on their journals, is more coercive on England than any clause in a statute, which, though it reads at once to the public eye, binds only the subject, but not the parliament.

They who maintain that the repeal did nothing, have the force of a number of recorded actions to contend against.

They must maintain that the King, in four messages to the respective Houses of Parliament in both kingdoms, respecting Ireland, meant nothing; that, in referring the Irish protest to the British Parliament, the King meant nothing; that the two Houses of the British Parliament, referring that claim to their committees, meant nothing; and that their report thereupon, that the 6th of George the First ought to be repealed, meant nothing. This they cannot say; you cannot say they meant nothing; they meant a cheat, if they did not mean your liberty; and, therefore, these gentlemen must determine that not one only, but a variety of acts, both of the King and Parliament of England, meant a cheat on Ireland; that the King,

in his application to both Parliaments; that the King, in his reference of your protest to his British Parliament; that the two Houses of the British Parliament, in their reference of those addresses; that the same Houses afterwards in their report thereupon, that the act should be repealed; and afterwards the three estates, King, Lords, and Commons, in passing the act, were, on these repeated recorded occasions, severally and conjointly confederated in a premeditated act of fraud and villany against the Irish nation: and if that were the case, not this but every act of the British Parliament would be delusive, and the principle of faith and honour cut up by the roots between the two nations for ever.

You are wrong if you think your case is perplexed by these manifold transactions: no; they are so many links on the British nation, and have, at so many distant periods, engaged the attention, and plighted the faith of England. Let me suppose she should attempt to bind you hereafter: against such a proceeding, you would state the repeal, and the quieting bill; but if you wish to aggravate the transactions, you would state the circumstances of the former, and read them from the records of England; that it appears from thence, that His Majesty had, in 1782, himself, of his own accord, interposed on the very subject; that he had invited you to state your grievances; that he referred the protest against the claim of England to the Parliament of the latter country, who had referred that protest to committees, and repealed the act of claim thereupon. This we should read from their journals; and add, that the King had transmitted the copy of the resolution, and that Ireland had expressed her satisfaction, and granted her 20,000 seamen.

We should add, that, to recur to supremacy now was more than the repealing a positive statute; it was to set at nought a solemn recorded treaty between the two parliaments, — a treaty which gave birth to a revolution which took place, and to the concord which should have sealed it, to the extinction of confidence, and the generation of a separate existence.

When an honourable member insisted, "that, from the words of this act, it appeared that England, by the repeal, meant nothing," when the same member said, that England, by the repeal, "seized on the generous credulity of your nature," I was sorry to hear such language. It may be acceptable to a party to have it thought that Great Britain seized on your credulity, that they may appear the popular informer; but such a sentiment poisons the connection for ever. In vain will they afterwards talk plausibly to England; and having charged her with seizing on your generous credulity, speak of

her with the solemn palpable cant of deference and admiration; but they cannot controul the natural mischief of their charge by affecting to limit their conception.

They wish to confine the charge within the sphere of their envy, and to say, that we were cheated by England, but that she meant fair: but we cannot be the dupe, unless England was the cheat; and that opinion once obtaining, England, not we, will be the immortal object of diffidence, which occasionally suppressed, will occasionally burst forth in endless strife and argumentative animosities. "She attempted once to deceive; she seized on the generous credulity of our nature;" behold a new cause of discontent and jealousy, which neither the application of the King, nor the accord of the British Parliament, — no renunciation, no recognition, no repeal, can remove, and, therefore, the men who inspire that diffidence, meaning only traduction and party mischief, open an infinite source of restless controversy.' I have, therefore, held it not only false, but wicked, to say that England, by the repeal, did nothing; and as a proof of her sincerity, I adduce the facility of doing what has been done since; the wording the jurisdiction bill was the language of a party, but the passing it was the act of the nation; and the avidity with which she passed it is a proof that the principle had expired by the repeal; and that the British nation was traduced when charged with having seized on the generous credulity of the Irish nation. When the repeal passed, there was a convulsion in the English senate, like the separation of soul from body; that great nation wished to retain her supremacy by her power, but she scorned to do so by prevarication. She felt the ambition of a great mind, and its nobleness also; and, instead of cheating Ireland by "seizing on her generous credulity," she parted with power at once and for ever: no flaw in the act, no quibble of her lawyer, no interpretation of her judge now restore it.

I have shewn the falsehood of that argument which called this simple repeal: and men being obliged to state the question falsely, in order to draw their conclusion, admit that, if they had stated the question truly, they must have drawn a different one.

I have shewn the question to be falsely stated, and now I will shew it to have been as falsely argued. They have measured a great manifold transaction between two independent nations, according to the principles of the municipal laws of one of them; as if a treaty between Great Britain and France was to be construed according to the laws, not of nations, but of

England; to be subject to her own construction upon her own laws; that is, to be subject to the judges of England; that is, to be construed away by English judges, who, though in fact the subjects of one state, are thus rendered arbiters of both. What would the King of Prussia say, if a treaty between the Court of London and Berlin was, by the British minister, referred to Westminster Hall? Would he suffer the faith of England, with respect to him, to be referred to the English themselves, and to have a refuge in the quaint, technical, and arbitrary maxims of her own jurisprudence, and her own judges?

The laws of England are not the measure in this case, nor are they admissible for a variety of reasons; they are the peculiar custom of England, to be explained by her judges, who are under the controul of her Parliament: this standard is local, and therefore not presumed to be known any where else, and therefore not promulgated, and, of course, defective in the essence of law; it is dependent on the explanation and comment of the party, and therefore arbitrary and partial; it is dependent on her explanation of the science of her own laws; a subject in whose inscrutable mysteries she has the greatest latitude for her partialities; its extent is the realm of Great Britain; its duration the will of her Parliament. I say, the municipal law of England is a standard inadmissible, for it is the peculiar science of that country, subject only to her own comment; and to refer a covenant between Ireland and England to such a standard, would be to refer it to herself — to herself in her most questionable character — the mystery of her law, and the subtlety of her lawyer.

Let me suppose the French Court should refer a treaty with England for the opinion of the judges of France, to be measured by the principles of the laws of France. Would not England exclaim, "We do not understand your laws, nor their principles, nor do we submit to their authority?"

Let me suppose the law of Ireland to be as different from that of England, as the law of England differs from that of France; would you, in that case, refer a treaty or compact between Great Britain and Ireland, to be governed and explained by the law or the lawyer of England; — a law differing from your own, and unintelligible to you; or would you refer it to the laws of Ireland? The laws of Ireland will tell you, that England never had any right, and that the 6th of George the First was not declaratory of law, but declaratory of robbery under the name of statute: so that the laws of one country would tell you, that the right had never an existence, as those of the other might tell you, it never could have an end, at

least, except so long as the Parliament was so pleased, against whose will and power you meant to provide. To whom then refer it? to the judges! What judges? The judges of England do you say? They will tell you, that the power of Parliament cannot be bound by statute law, and that they are no judge of the law of nations. Will you refer it to the judges of Ireland? Would England agree that a transaction in which she has a joint concern should be referred to the judges of Ireland? If you do refer to them, they will tell you, I know they will tell you, that England has recognized your rights by the repeal; so that your judges would be discordant in their respective partialities and fears; the Irish attached to the liberty of Ireland, the English to the power of Great Britain. Therefore, I say, a covenant of this sort is not to be adjudged by either the municipal laws of the respective countries, nor the municipal judges, neither by the local custom, nor the partial commentator. The municipal law, or the principles of the municipal law, are no standard; but the law of nations is: it is known to both countries, supersedes the particular customs of both nations, binds the respective states with regard to each other; is above their judges, and above the legislature: the Parliament makes the municipal law, but is itself bound by the law of nations: it is, with respect to the municipal law, the law maker, the sovereign; with respect to the laws of the nation, the subject; it is bound by *faith, though it cannot* be bound by statute: this is the more irresistible when you consider the principle of the municipal law of England, which is the omnipotence of her Parliament. From hence it follows, that there is no principle in that law which can secure you against the Parliament of England: if its omnipotence has a limit, that limit is found in another supposed principle still more hostile to you, — that Parliament cannot cede the fundamental rights of England, such as her supremacy over you was conceived by her to have been; from hence it follows, that by the municipal law of England, you cannot have a lasting, and may not perhaps have a momentary, *security against* her Parliament: the standard, *therefore, is not the* municipal law, but *the law of nations.*

I have shewn the measure to be false; and as the second position of the honourable member subjected the liberty of this country to Westminster Hall, his third position subjected your liberty to the Parliament of England: he asked for legal security in a British act, against the British Parliament. In order to expose this idea, it is sufficient to know two *things*, — the authority of the law of England, and the nature of her parliament; and any man who considered either, could never

knowingly fall into the wretched doctrine of legal security. On this subject, the authority of the law is, what? to bind all except the Parliament. The individual cannot repeal it; the King cannot repeal it, but the Parliament may repeal it. What is the authority of the Parliament of England? Omnipotence within the realm of England. It makes law, it unmakes law, it declares law; and whatever it enacts, the King must execute, the judges declare, and the subject obey. Against whom have you sought security? against the Parliament of England! What security does the member propose? the statute law of England! which does not bind the Parliament of England! the law against *the law-maker*; a security which ends where your danger begins; which is essentially defective in the very point where you want to be secured; which is the very reverse of a specific for your disorder. With peculiar sagacity, he rejects the faith of nations, which alone can bind the power of Parliament; and he calls for a law, which is the creature of Parliament, to restrain it; he calls for English statutes, which secure you, I allow, against the individual, the corporation, and the king, and every thing except the British Parliament.

We are, he had said, independent of the Parliament of England by the ancient charters of Ireland; and then he calls on that Parliament to give Ireland liberty: he first proposes to measure a transaction common to both nations, by the municipal law which is peculiar to each, and thus subjects his country to the comment of Westminster Hall: he calls for legal security by operation of statute, and subjects his liberty to the Parliament of England: he proceeds insensibly on the principle of an ancient hereditary supremacy in the British nation; and he proceeds on the idea of an inferior country, who cannot measure a joint transaction by rules which obtain between equal nations.

See America: the establishment of American independence is, in the opinion of some of the judges of England, illegal. According to the municipal laws of England, no English statute has expressly recognised her independence; the statute that should have enabled the King to do so is not express. According to this, America has no legal security, no explicit emancipation. Does America complain? Does she expostulate, that "her liberty is equivocal, placed on construction and the fleeting base of interpretation?" Does she put questions to the twelve judges of England to learn the privileges of the thirteen states of America? No! America is too high for such expostulation; America is not only free, but she thinks like a free country; and having given herself liberty, does not ask

for legal security under the laws of any other nation. America was undoubtedly under the dominion of England by law; but she has shaken off that dependency on the British nation; and, therefore, America does not ask legal security under the British Parliament. America has nothing to do with the British Parliament, who makes statutes for England, not for America; nor with the judges, who are judges for England, not for America. She is concerned only in respective treaties, which are not bound by the principles of the municipal law of England, for then America would be subject to the construction of Westminster Hall; nor by the statute law of England, for then America would be subject to the Parliament of England; but by the law of nations, which is above the law of any one nation; by the law of nations, whose obligation binds the legislature, — the body that forms the municipal law, but is coerced by this. Do you imagine that an American will take the British act in his hand, and ask counsellor A. whether the thirteen provinces have legal security for their liberty? no; nor should you: for if you measure the late transaction by the principles of the municipal law of England, you submit the compact to her own judges, that is, to herself; or, if you ask for legal security in the laws of England, you ask for it under her Parliament; you submit to the authority of her jurisprudence in the one case, and the legislation of that country in the other; with respect to which, you claim a total and irrevocable independence; you waive your constitutional security in your own charters, and your independency in your own laws: you insensibly become a province, dependent for its liberty on the laws of the mother-country, from whose laws it obtained legal security; you descend from the seat of your ancestors, and what you inherit from them you take from a foreign land.

You are made to say to England, "We are independent of you; give us liberty;" and to the judges of England, "We are independent; declare our rights; have we privileges?" Such security is not liberty, but dependency under the appellation of liberty. How many questions would arise? What a code of political metaphysics to shake such security, such liberty? How far the legislature was competent to alienate its legislative capacity? how far such an act bound posterity? whether the principle did not remain, and the covenant was not merely void? Backed by argument here, a system of political metaphysics would not be wanting in a tory-party in England, applauding our folly, and reviving their power; for, let me tell you once more, that England cannot give, or fix, or establish the rights of Ireland by her laws, though

she may have invaded them by her force; she can only promise to restrain her domination; and, if in so doing, if in covenanting not to question your claims for the future, she affects to give, or create, why then she does not give you a charter, but gives the lie to your charters, and for so much injures argumentatively your rights, and derogates from the force of those addresses on whose veracity you pledged life and fortune. Let me tell these men that the British nation can give them nothing.

> Nullum numen abest si sit prudentia: sed te
> Nos facimus fortuna deam, cœlo que locamus.

Yes, England may still give something, — her example, her habits of industry, and her faithful maxims of commerce. The argument, then, which measures the late transaction between the British and Irish nation, according to the principles of municipal law, is a measure inapplicable and inadmissible: the kindred argument which seeks for legal security in a British statute is more inapplicable and more inadmissible; it is the reverse of what the terms affect, — it is a legal dependence upon the Parliament of England, which is not legal security, but illegal bondage; it is the very reverse of legal security, — that state from whence you fled, and from whence we have been miraculously and illustriously rescued. What! (I would ask these men,) have we delivered ourselves from the British nation to be referred to the quibble of Westminster Hall, or to the charity of her Parliament? The emancipation of Ireland I have heard of; — but the manumission of Ireland is a new idea.

Your legal security is not repeal, nor renunciation, nor recognition, nor the laws of England, but the laws of Ireland; your security consists in, that you are not dependent for liberty on the laws of England, or the Parliament of England; your legal security is, that you do not require legal security in the Parliament of England, and have nothing to do with her judges, or their comments, nor dependent on the laws, construction, comment, power, or quibble of a foreign land. Your legal security is the law of Ireland; the repeal has given every moral security, that on the part of England the laws of Ireland will not be invaded by the power of England: this assurance from England we measure by the law of nations, which binds Parliament: we know that no statute can bind Parliament: but the law of nations may; we know an English judge may comment away the force of statute; that the law of nations is, like the contracting nations, above

him, we therefore do not measure the transactions whereby England does away her claim by any such standard, but by another, a higher, the law of nations, which does not depend on the riddle of the common law, nor the comment of the judges, nor the will of the legislature, but is above them all, and above the states to which such things are subject.

It has been unfortunate that a certain trick of expressions, without foundation in things, "simple repeal," "remote and dubious construction," "legal security," "unequivocal emancipation," things either inapplicable or inadmissible, should, with a glib expedition and easy jingle, have run through the mouths of several, the chime of artificial words, the gabble of a party, running off the tongue without touching the intellect, and constantly dinned into the public ear, were received as oracles of truth, when they should have been rejected as the watch-word of rancour and symbols of party; they who fell under the influence of these words, they who talk of simple repeal, rejected a material part of the transaction to argue falsely upon the remainder; they rejected that part which made the transaction a treaty, that by its nature bound the British Parliament, and confined themselves to the legal part which, by its nature, could not bind the legislature; they simplified Ireland totally out of the transaction; they simplified the law of nations, and the faith of nations, totally out of the transaction; they simplified every thing into clauses of the British statute, whose operation could not bind the British Parliament, against whom your claims were directed, except by taking into consideration those Irish transactions which they, in their temerity, called "transitory," and which they in particular rejected; and, except by taking into consideration the law of nations, and of treaties, which they despised.

They called for legal security: like slaves, they desired manumission from the British Parliament: *moriatur frigore ni reducès pannum.* Away with doubtful construction and inexplicit security! We are enslaved, unless we are freed by an English act of parliament! Away with the charters of Ireland, and the distinct inherent rights of the land: let us have the English Parliament expressly legalize the independency of the Parliament of Ireland; establish the liberty of Ireland by virtue of an English act! Away with the flimsy bubble, security of a covenant between nation and nation: let us bind the Parliament of England by its laws!

Such men, while they think they are committing the very excesses of liberty, talk in the very sense and spirit of slavery; they neither are free, nor can they be free: for, as they will admit of no legal security except in the laws of another nation, they

are to that nation tenants-at-will for liberty, not freemen: men manumitted, with a power of revocation reserved to the antient lords; and therefore their imaginary condition of liberty is of as abject and base a tenure as their metaphysical arguments are absurd. The reason why they argue so is, that their mind has not grown to their condition; they do not feel that Ireland is a nation, though they talk at random about her liberty, accustomed to think Great Britain had a right, though, in talk, they denied it; bred, perhaps, under the lore and influence of Westminster-hall, and those false oracles on Irish subjects, which you have silenced, the old superstition, a pernicious and narrow education, still hung about them; the rapid progress of the country had outrun them, and they felt like the subjects of a province, when Ireland became a nation: they therefore still plod back again to the quibble and comment of their ancient guides and oppressors, who had cramped their youth, and were deluding their understanding. "What! the opinion of Westminster? that England may make law for any country she can conquer." The idea of co-ordinate nations, or of measuring a transaction between England and Ireland by any but the municipal maxims of the superior, was above them: the Irish charter, like happiness, was in their hand, but they did not know it: they went to Westminster to look for it.

The honourable member held out a false standard in the principles of the municipal law; and having held out a false security in the laws of England, attacks the only security the nature of the case admits of, — the faith of nations! He attacks it with the habits of declamation: what is it but to perpetuate warfare, an everlasting appeal to Heaven? What the ethics of the member may be I know not; but this I know, that the good faith which he repudiates is the great bond of civil society, and the only bond of nations. What is it that preserves peace for an hour, but the faith of nations? What preserves all the treaties of the globe but the faith of nations? The faith of nations is supported and enforced by a sense of interest: a nation noted for infidelity can have no alliances, no credit, no strength: between nation and nation, character is power; between man and man, the honourable gentleman knows that a want of character is weakness; but he has found out two species of security for Irish liberty, very different indeed from faith, and very weak in themselves: the one is, the liberality of England; the other, her law, and he argues very gravely on both; he reduces your safety to a dilemma, and gives this gross and weak conception the form and affectation of logic. "You had but

two ways to proceed; to rely on the liberality of England, and suffer the declaratory act to remain, or take legal security;" and on the legs of this hungry dilemma, he stands a *Colossus* in argument: that the liberality of England is a security for liberty, is a position too absurd and despicable to be answered; that the statute law of England is a control on the Parliament of England, and a legal security for the liberties of Ireland against the Parliament, is a position which has already been answered and exposed: both the positions answer themselves; the term liberality precludes security; and the term law imports a legal dependance upon, and not a security against, the law maker: so both the legs of the dilemma are struck away; the honourable member must descend; he has still a halt in a distinction where he asserts that legal security cannot be had between unconnected nations, but may be had between nations connected by civil government: the grounds of this distinction he is not pleased to discover, but we must suppose, by the words, *countries connected by civil government*, he means dependant, like Guernsey on England, or independent of each other, like England and Ireland: if the former, his observations do not apply; and if the latter, to state the connection will be sufficient to shew that the consequence he has stated, does not proceed from it: the connection in question is, the annexation of the crown, but the legislatures are distinct and independent. Now, if the member means, that the Parliament of England can in any wise affect Ireland by the legal operation of its laws, or if he means, that the Parliament of England cannot repeal an English act, affecting to give legal security to Ireland, because the king is the same, he argues in both equally wrong and equally illogical. Does the annexation of the crown, which is the connection by her civil government, give the Parliament of England authority over Ireland? or does it take from that Parliament its authority over England — the power of repealing its own laws? How then does legal security exist in the connection? a connection which leaves Ireland incapable of being affected by the statutes of England, and leaves England perfectly free to repeal them.

I think I have shown the folly of that argument which measured the transaction of 1782, by principles of municipal law, and which would make a legal security for Ireland under the statute law of England; and this transaction, when measured by what is the real measure, and what, if liberty had been the original principle, would have been the measure, no man can deny to have been, on the part of England, a complete dereliction.

The Irish nation protest against the claim of supremacy; she considers the protest, and then repeals the act declaratory of that claim; such a repeal is an assent to your protest. What clause in an act could be more express or memorable than such a national compact? Parliaments may repeal laws; kings have invaded clear and express laws; but when laws have been environed and sanctified by a revolution, kings do not choose to meddle with them: the solemnity of the transaction gives a security to the law: a national compact between Great Britain and Ireland is higher than law, more awful, and the breach of it more dangerous; for transactions are understood by men who cannot understand law: the national convention being made in 1782, to remove the discontents of Ireland, by relinquishing the supremacy of the British Parliament; the revival of the power is a breach of which every man can judge, without resorting to the laws or lawyers of England; and the nation would rise as one man, not on the point of law, but of fact. I do acknowledge, that this security is not impregnable; there is one body that might shake it, the Irish themselves; England could not; but Ireland might waive the covenant, and then England is free; and when a party in this country pervert the sense of that covenant, they make the mischief they affect to tremble at; they endeavour to render your condition as uncertain as possible, and the faith of England as low as possible, and there they leave you. It was mischievously said, that England was *now* free to bind Ireland; it was said with all the affectation of enthusiasm, and the real spirit of rancour; it was said, that if she did, she would find an advocate: the very persons who asserted that the repeal did nothing, refuted their own arguments, falsified their own assertions, and discovered their real sentiments by acknowledging that it liberated the hands of the King to pass a declaration of right, denying the supremacy of the British Parliament.

I now come to the last ground, that the judicature was not surrendered by an English act. Before I proceed on this head, let me state the difficulties; the claim of judicature was a surprise on both kingdoms. Ministry, prepared for a volume of grievances, were not prepared for that requisition. Several of the gentlemen of this country were afraid of the experiment, — afraid, lest the judicature should be refused, — afraid, least it should be abused, and the collective body of the nation had not stirred the subject: since the point is obtained, the difficulty is forgotten: notwithstanding the difficulty, I was determined never to yield that point; for, carrying that point, you made yourselves the sole and exclusive

judges of the pretensions of the British Parliament, and, of course, rendered those pretensions totally *nugatory*: you became the repository of your own charters; and until you proved false to yourselves, they could not be taken from you. The judicature being restored, I am condemned, because it was not restored by an English act of parliament: my answer is, that an Irish act was necessary and competent; necessary, because the practice of Ireland had been long to appeal to England, and the property of the kingdom dependant on the legislation of that past practice; and, as we thought the interposition of the Irish necessary, we thought it expedient. What is your claim of right? That you are the only body competent to make law for this realm in *any* case whatsoever. If competent in any case whatsoever, are you not competent in this—competent to regulate your courts of justice? I, therefore, thought an Irish act, in point of law, adequate; and I am sure, it was adequate in point of security. The nation says, that the Parliament of Ireland is solely and exclusively competent to make laws for this realm in all cases whatsoever; and I am now condemned for having taken her at her word.

I come now to the last charge, that Parliament was concluded by the address of the 27th, and the nation not freed by the transaction; the clause is, "gratified in these particulars, we conceive no constitutional questions will any longer exist to interrupt the harmony of the two nations." Do you repent that clause? Sir, the rejection of that would have stopped every thing. Irish satisfaction was the price of Irish liberty. Do you think it dear at such a price? There was a time when you could have given millions! Do you seriously imagine that Great Britain would have acceded to the requisition of the 16th of April, if she had been left to apprehend a host of grievances in reserve? that we were only talking plausibly to England, when we enumerated the causes of our discontent and jealousy, but cherished a growing demand, — a growth proceeding from the gracious reception which that demand had received? It was not a fanciful clause, as was observed with a ready facetiousness; but one on which British accommodation hung. Individuals might refuse satisfaction, whose object was something other than liberty, but the nation could not. What! do you imagine that the sense or interest of the nation was the declaration of one person, who said, we were pledged to go so far, and free to go on. Individuals may reserve certain latitudes, which would disgrace a nation. You were to reject the little policy of knavish latitudes and impracticable duplicity, and consider your own character, and that of the great nation you accosted, and to apply your-

self to her magnanimity, as well as her justice, so that her passions might take part against her power. Believe me, there was a splendour in your moderation, and a force in your fidelity. You prescribed to yourself a sacred precinct; and when England yielded, you scorned to advance: your spirit did not depend on the concession of England; it was an inherent quality of the mind.

Thus have you sealed a treaty with Great Britain. On the one side: — the restoration of the final judicature, the extinction of her legislative claim, of her privy council, of her perpetual mutiny bill, the repeal of the act of legislative supremacy: — on your side, satisfaction; and thus are the two nations compacted for ever in freedom and in peace.

Mr. Flood's motion was negatived without a division.

Mr. GRATTAN then said he would move the following resolution, viz. "That the legislature of Ireland is independent; and that any person who shall, by writing or otherwise, maintain that a right in any other country to make laws for Ireland, internally or externally, exists, or can be revived, is inimical to the peace of both kingdoms."

This was strongly opposed by Mr. Flood, who moved the question of adjournment. The House divided. For the adjournment, 13; against the adjournment, 99.

Tellers for the Ayes, Mr. Walsh and Mr. Richards.
for the Noes, Mr. Bateman and Mr. Swan.

Mr. GRATTAN withdrew his former resolution, and moved the following:

"That leave was refused to bring in said heads of a bill, because the sole and exclusive right of legislation in the Irish Parliament in all cases, whether internally or externally, hath been already asserted by Ireland, and fully, finally, and irrevocably acknowledged by the British Parliament."

Mr. Flood then moved to expunge the word "finally."

The question was then put, that the word "finally" do stand part of the resolution. This passed in the affirmative, and the resolution was carried without a division.

CHANGE OF MINISTRY.

July, 1782.

THE death of the Marquis of Rockingham, whose health had been for some time declining, occasioned the dissolution of the Fox ministry. Upon his death, on the 1st of July, His Majesty appointed the Earl of Shelburne to succeed him in the Treasury.

Lord John Cavendish and Mr. Fox soon afterwards resigned their offices; they were followed by the Duke of Portland, by Mr. Montague, and Lord Althorpe, from the Board of Treasury, by Lord Duncannon and Mr. Townshend from the Board of Admiralty, by Mr. Burke, and by Mr. Lee, Solicitor-general.

Mr. Pitt had, by his motion, in favour of parliamentary reform, acquired much popularity; which, together with his acknowledged talents, contributed to his elevation to the Chancellorship of the Exchequer.

The following is a list of the Shelburne administration:

GREAT BRITAIN.

First Lord of the Treasury — Earl of Shelburne.
Chancellor of the Exchequer — Hon. William Pitt.
Principal Secretaries of State — Lord Grantham, Thomas Townshend, Esq.
Lord Chancellor — Lord Thurlow.
First Lord of the Admiralty — Lord Keppel.
President of the Council — Lord Camden.
Lord Privy Seal — Duke of Grafton.
Master-General of the Ordnance — Duke of Richmond.
Chancellor of the Duchy of Lancaster — Lord Ashburton.
Secretary at War — Sir George Yonge.
Treasurer of the Navy — Henry Dundas, Esq. (afterwards Lord Melville.)
Paymaster of the Forces — Colonel Barré.
Attorney-general — Lloyd Kenyon, Esq. (afterwards Lord Kenyon.)
Solicitor-general — John Lee, Esq.

IRELAND.

Lord-lieutenant — Earl Temple.
Secretary to ditto — Hon. Wm. W. Grenville (afterwards Lord Grenville.)
Chancellor of the Exchequer — Wm. Gerard Hamilton.
To continue Lord Chancellor — Lord Lifford.
Attorney-general — Barry Yelverton.
Solicitor-general — Hugh Carleton.
Prime-serjeant — Thomas Kelly (afterwards one of the Justices of the Common Pleas.)

ADDRESS TO THE LORD-LIEUTENANT.

MR. FLOOD MOVES AN AMENDMENT TO THE ADDRESS, WITH REFERENCE TO THE DECLARATORY ACT OF THE SIXTH OF GEORGE THE FIRST.

July 23. 1782.

ON the 22d Mr. Grattan moved an Address to the Lord-lieutenant for his wise, just, and constitutional administration; and on this day he brought up the report from the committee appointed to prepare it.

" To His Grace William Henry Cavendish, Duke of Portland, Lord-lieutenant General, and Governor-general of Ireland.

" May it please Your Grace,

" We, His Majesty's most dutiful and loyal subjects, the Commons of Ireland, in parliament assembled, beg leave, at the conclusion of a session which hath not been more beneficial to this country than honourable to Your Grace, to approach Your Grace with the most unfeigned expressions of satisfaction.

" At the close of this session, we shall have seen, under Your Grace's administration, the judges rendered independent of the Crown; the law for the punishment of mutiny and desertion abridged in duration, and so altered as to become a vindication of the constitution; the jurisdiction of the hereditary judges of the land restored; the vicious mode of passing laws, which was heretofore exercised in this country, reformed; and the sole and exclusive right of legislation, external as well as internal, in the Irish Parliament, firmly asserted on the part of Ireland, and unequivocally acknowledged on the part of Great Britain.

" We shall have seen this great national arrangement established on a basis which secures the tranquillity of Ireland, and unites the affections as well as interests of both kingdoms. When we consider how long we had been labouring for those great and important objects, and that they have been accomplished in the short period of Your Grace's administration, we should be wanting in justice to Your Grace if we did not acknowledge your virtue.

"Your Grace will have the consummate satisfaction of reflecting, that the name of Bentinck will remain engraven on our hearts; and that whenever Your Grace shall withdraw from the administration of the affairs of this country, — an event we shall most sincerely lament, you will be attended, not by the forced and jaded benedictions of an oppressed province, but by the manly and dignified love of a free people, restored to liberty by their own great exertions, rendered effectual under your auspicious government, and by your powerful assistance.

"We might enlarge on your eminent integrity, your faithful representations, your constitutional lineage, and your hereditary principles; — we have felt their effects, and leave it to history to do you justice."*

Mr. Flood then moved the following amendment:

"We are, however, obliged, whilst we pay every acknowledgment to Your Grace for the part you have taken as to those measures, to lament, as to the modification of the law of Poyning, that it hath been so conducted as to leave it doubtful, whether, by contravening the provisions of the law of Poyning, it is not incapable of becoming a law of the land; and whether it is not *ipso facto* null and void; that it hath impliedly confirmed all the pernicious principles of the antient construction of that statute, without removing many of their effects; that it hath no provision to take away from the Privy Council of Ireland the unconstitutional power of originating bills, nor to restore to Parliament their capacity of originating bills; that, contrary to the express tenor of our address of the 16th of April last, it hath left to the British Council the power of stopping bills; that it hath taken from the Crown the power of doing that which, by the law of Poyning itself, the King could have done, namely, of giving the royal dissent, as he doth the royal assent, in the only method known to the constitution, that is to say, openly and in full parliament, and thereby hath deserted the first principle of the nation, to wit, a similar constitution with England, and a similar fate, and that, by a confused medley of old and new law, it leaves a doubt whether, in just legal construction, any clear and unexceptionable method will remain for carrying on the work of legislation in the Parliament of this kingdom. With respect to the 6th of George the First, we must lament that, though in hope to quiet the people, this House, without having read or seen the act of repeal, have declared that the British Parliament have fully, finally, and irrevocably acknowledged our sole and exclusive right to make laws for Ireland in all cases, external as well as internal, yet we have much ground to doubt this hath not been sufficiently done, and to believe, that the people of Ireland are growing more and more of that opinion."

* This Address was prepared by Mr. Grattan.

Mr. Flood's amendment was negatived without a division, and the address was agreed to.

The following was the answer of the Lord-Lieutenant.

"Gentlemen of the House of Commons,

"I receive this affectionate address with the most sincere satisfaction. Attached by education and habit to the principles of the English constitution, and sensible that the benefits of it ought to be extended to this kingdom, it gives me a particular pleasure to have been in any degree instrumental in restoring it to that situation in which it has long deserved to be placed.

"To settle the constitution of Ireland upon a secure foundation, and to unite its interests and affections with those of Great Britain, were the principal objects of my administration: and I am happy to learn that you consider those objects as accomplished.

"Your approbation has gratified every ambition of my heart; and I should ill deserve your acknowledgements, if I did not feel the value of the gratitude of a free people, and in every situation of life consider myself as bound to promote the interest and happiness of His Majesty's subjects of this kingdom."

CLOSE OF THE SESSION.

SPEECH OF THE LORD-LIEUTENANT.

July 27. 1782.

ON this day the House attended the Lord-lieutenant in the House of Peers, when His Excellency delivered the following speech, (which it has been thought proper to introduce here, as it closes the period of the Irish revolution of 1782):

"My Lords and Gentlemen,

"The great and constitutional advantages you have secured to your country, and the wise and magnanimous conduct of Great Britain in contributing to the success of your steady and temperate exertions, call for my congratulations on the close of a session which must ever reflect the highest honour on the national character of both kingdoms.

"It must be a most pleasing consideration to you to recollect, that, in the advances you made towards the settlement of your constitution, no acts of violence or impatience have marked their progress: a religious adherence to the laws confined your endeavours within the strictest bounds of loyalty and good order. Your claims were directed by the same spirit that gave rise and stability to the liberties of Great Britain, and could not fail of success as

soon as the councils of that kingdom were influenced by the avowed friends of the constitution.

"Such a spirit of constitutional liberty communicating itself from one kingdom to the other, must naturally produce that reciprocal confidence and mutual affection, of which we already begin to feel the most salutary effects. A grateful zeal and generous ardour have united this whole kingdom in the most cordial and vigorous exertions, which promise effectually to frustrate the designs of our common enemy, and to re-establish and secure the glory of the whole empire.

"Gentlemen of the House of Commons,

"When I consider the very active and liberal part you have taken in contributing to these great and glorious events, I must as distinctly express to you His Majesty's sense of the last effusion of your generosity for the defence of the empire, as I must return you his gracious thanks for the supplies which you so cheerfully voted at the beginning of this session. His Majesty's royal example not only secures to you a most just and economical application of the aids you have granted him, but affords you a most solemn pledge of attentive investigation into every means which the circumstances of this country will afford to alleviate the burdens of his loyal and grateful people. To co-operate with you in carrying into effect this most benevolent disposition of His Majesty, will afford me the highest gratification, and manifest to you the sentiments I shall ever entertain, in return for the confidence you have reposed in the sincerity of my professions for your welfare.

"My Lords and Gentlemen,

"In contemplating the services which your unremitting assiduity has rendered to the public, I must indulge myself in the satisfaction of specifying some very important acts, which will most materially strengthen the great constitutional reform you have completed, and which will for ever distinguish the period of this memorable session. You have provided for the impartial and unbiassed administration of justice, by the act for securing the independency of the judges; you have adopted one of the most effectual securities of British freedom, by limiting the mutiny act in point of duration; you have secured that most invaluable of all human blessings, the personal liberty of the subject, by passing the habeas corpus act; you have cherished and enlarged the wise principles of toleration, and made considerable advances in abolishing those distinctions which have too long impeded the progress of industry and divided the nation. The diligence and ardour with which you have persevered in the accomplishment of these great objects, must ever bear the most honourable testimony to your zeal and industry in the service of your country, and manifest your knowledge of its true interests.

"Many and great national objects must present themselves to your consideration during the recess from parliamentary business; but what I would most earnestly press upon you, as that upon which your domestic peace and happiness, and the prosperity of the empire at this moment most immediately depend, is, to culti-

vate and diffuse those sentiments of affection and confidence which are now happily restored between the two kingdoms. Convince the people in your several districts, as you are yourselves convinced, that every cause of past jealousies and discontents is finally removed; that both countries have pledged their good faith to each other, and that their best security will be an inviolable adherence to that compact; that the implicit reliance which Great Britain has reposed on the honour, generosity, and candour of Ireland, engages your national character to a return of sentiments equally liberal and enlarged; convince them, that the two kingdoms are now one, — indissolubly connected in unity of constitution, and unity of interests, — that the danger and security, the prosperity and calamity of the one must equally affect the other; — that they stand and fall together."

MEETING OF PARLIAMENT.

October 14. 1783.

ON this day the new Parliament met. Mr. Pelham moved, that the Right Honourable Edmund Sexton Perry should take the chair; a person, not merely possessing an intimate acquaintance with the rules and forms of the House, but an ardent love for the constitution of his country, endowed with the greatest serenity of temper to hear, and the most undaunted spirit to maintain the dignity of the chair, and the privileges of the Commons. Mr. Perry was unanimously elected to the chair.

The House then attended the Lord-lieutenant (Northington) in the House of Lords, when his Excellency delivered the following speech:

"My Lords and Gentlemen,

"It is with more than ordinary satisfaction, that, in obedience to His Majesty's commands, I meet you, in full possession and enjoyment of those constitutional and commercial advantages which have been so firmly established in your last parliament. The sacred regard, on the part of Great Britain, to the adjustment made with Ireland at that period, has been abundantly testified by the most unequivocal proofs of sincerity and good faith.

"It will ever be my wish, as it is my duty, to promote the mutual confidence of both kingdoms, and the uniting them in sentiments as they are in interest: such an union must produce the most solid advantages to both, and will add vigour and strength to the empire.

"I sincerely congratulate you on the happy completion of His Majesty's anxious endeavours to restore the blessings of peace to his faithful people. The establishment of public tranquillity is peculiarly favourable at this period, and will naturally give spirit

and effect to your commercial pursuits. Both kingdoms are now enabled to deliberate with undivided attention on the surest means of increasing their prosperity, and reaping the certain fruits of reciprocal affection.

"I have the highest satisfaction in acquainting you of the increase of His Majesty's domestic happiness, by the birth of another princess.

"Gentlemen of the House of Commons,

"I have ordered the proper officers to lay the national accounts before you; from them you will be enabled to judge of the circumstances of the kingdom; and I rely on your wisdom and loyalty to make such provision as shall be fitting for the honourable support of His Majesty's government.

"My Lords and Gentlemen,

"The miseries of an approaching famine have been averted by the blessing of Divine Providence upon the measures which the Privy Council advised; the good effects of which were soon visible in the immediate reduction of the price of grain, and the influx of a valuable and necessary supply to the market: any temporary infringement of the laws to effect such salutary ends, will, I doubt not, receive a parliamentary sanction.

"Among the many important objects which demand your attention, I recommend to your consideration, laws for regulating the judicature of the court of admiralty, and for making a new establishment of the post office.

"The linen manufacture, being the staple of your country, it is needless for me to recommend perseverance in the improvement of that most important article.

"The fishery on your coasts will claim your attention, as a promising source of wealth to this kingdom; and the encouragements granted to it, will, no doubt, be regulated by you in the manner most likely to produce the best effect, and least subject to fraud and imposition.

"The protestant charter-schools,—an institution founded in wisdom and humanity, are also most eminently entitled to your care.

"I recommend likewise to your attention the proposals adopted by Government, for providing an asylum for the distressed Genevans: it well becomes the generosity of the people of Ireland to extend their protection to ingenious and industrious men, who may prove a valuable acquisition to this country, which they have preferred to their own: but in forming this establishment, you will doubtless consider it as a part of your duty to avoid unnecessary expence, and ultimately to secure the utmost advantages to your country.

"I anticipate the greatest national benefits from the wisdom and temper of Parliament, when I consider that the general election has afforded you an opportunity of observing the internal circumstances of the country, and of judging by what regulations you may best increase its industry, encourage its manufactures, and extend its commerce.

"In the furtherance of objects so very desirable to yourselves, I assure you of every good disposition on my part; sensible, that in no manner I can better fulfil the wishes and commands of our gracious Sovereign, than by contributing to the welfare and happiness of his loyal subjects. With an honest ambition of meriting your good opinion, and with the warmest hope of obtaining it, I have entered upon my present arduous situation; and with sentiments pure and disinterested towards you, I claim your advice, and firmly rely upon your support."

An address was then voted to His Excellency; and on the motion of Lord Sudley, it was resolved, *nem. con.* "That the thanks of the House be given to the volunteers for their spirited endeavours to provide for the protection of their country, and for their ready and frequent assistance of the civil magistrate in enforcing the due execution of the laws."

It was ordered, that the sheriffs of the different counties, and counties of cities and towns, do communicate the above resolution to the several volunteers of the kingdom.

DEATH OF CHIEF BARON HUSSEY BURGH.

October 16. 1783.

MR. GRATTAN rose, and called the attention of the House. He was unable, he said, to deliver his sentiments with any degree of justice to his feelings on the subject he was going to speak upon;—the death of the late Chief Baron Burgh was too deep a wound to the community at large, and to that House in particular, to need any additional colouring from any thing he could say on the occasion. He said, that the late Chief Baron's circumstances at the time of his death were very inadequate to his station: four daughters and a son were left unprovided for; and his many virtues and public services demanded that his children should be the children of the public: he moved, "That an humble address be presented to His Excellency the Lord-lieutenant, requesting him to represent to His Majesty the earnest entreaty of that House, that His Majesty would be graciously pleased to make such provision as His Majesty shall think proper, for the children of the late Chief Baron Burgh, as a reward for his integrity and ability in the seat of justice, and the services he has rendered this country."

Mr. Ogle delivered his tribute of friendship and sorrow for the death of that great and good man, who was the melancholy subject of the regret and gratitude of that House and the nation.

Mr. Yelverton pronounced a just eulogium on the memory of his friend: he did not know in which character in the sphere of life he had to admire most, whether in his private or public character, as the humane advocate for the unfortunate, the tender husband and father, — or to revere him on the bench, as the dispenser of impartial justice tempered with clemency: when he came to speak of him as a friend, his heart seemed suffocated, and there he wanted utterance: the House sympathised. The question on the motion being put, the assent of Parliament was never given with greater pleasure.

Resolved, *nem. con.* "That an humble address be presented to His Excellency the Lord-lieutenant, that he will lay before His Majesty the humble desire of this House, that His Majesty will be graciously pleased to make provisions for the children of the Right Honourable the late Lord Chief Baron Burgh, in consideration of his integrity and ability in the seat of justice, and for the services he has done to this country."

Mr. Grattan also moved an address of thanks to His Excellency, General Elliott, for his gallant defence of Gibraltar; and another address of thanks to Lord Viscount Howe, for relieving that fortress.

CHANGE OF MINISTRY.

October, 1783.

THE censure passed on the peace by the resolutions of the House of Commons on the 21st of February, together with the strength of Lord North's connections, caused the dissolution of the Shelburne administration. The Earl of Shelburne quitted his office of first commissioner of the Treasury, and the chancellor of the Exchequer (Mr. Pitt) declared, that he only held his place till a successor should be appointed. A ministerial interregnum ensued, which lasted till the beginning of April; various causes were assigned for the extraordinary delay in the appointment of a new administration; it was alleged that the chief obstacle arose from the mutual jealousy which still subsisted between the newly-allied parties, and the difficulties they found in adjusting their several pretensions. At length by the coalition of Lord North and Mr. Fox, the following administration was formed:

GREAT BRITAIN.

Members of the Cabinet.

First Lord of the Treasury — Duke of Portland.
Secretary of State for the Home Department — Lord North.

Secretary for the Foreign Department.—Right Honourable C. J. Fox.
Chancellor of the Exchequer—Lord J. Cavendish.
First Lord of the Admiralty—Lord Viscount Keppel.
President of the Council—Lord Viscount Stormont.
Lord Privy Seal—Earl of Carlisle.

Not of the Cabinet.

Lords Com. Cus. G. Seal—Lord Loughborough, Sir W. H. Ashurst, Sir Beaumont Hotham.
Master General of the Ordnance—Lord Viscount Townshend.
Secretary at War—Hon. R. Fitzpatrick.
Paymaster of the Forces—Edmund Burke, Esq.
Treasurer of the Navy—Charles Townshend, Esq.
Attorney-general—James Wallace, Esq.
Solicitor-general—John Lee, Esq.
Secretaries to the Treasury—R. B. Sheridan, Esq., Richard Burke, Esq.
Speaker of the House of Lords—Earl of Mansfield.

IRELAND.

Lord Lieutenant—Earl of Northington.
Secretary to ditto—William Windham, Esq.
Chancellor of the Exchequer—William Gerard Hamilton.
To continue Lord Chancellor—Lord Lifford.
Attorney-general—John Fitzgibbon (afterwards Lord Clare.)
Solicitor-general—Hugh Carleton (afterwards Lord Carleton, and Judge in Common Pleas.)
Prime Serjeant—Thomas Kelly (afterwards Justice of Common Pleas.)

DISPUTE BETWEEN MR. GRATTAN AND MR. FLOOD.

October 28. 1783.

ON this day Sir Henry Cavendish moved the following resolution, which was similar to the one passed on the 11th of November 1771, viz.:

"That the condition of this kingdom requires that all practicable retrenchments be made in its expences, consistent with the true interests of this kingdom, and the honourable support of His Majesty's government."

This was opposed by Mr. Mason, Mr. Kelly (Prime Serjeant,) Mr. George Ponsonby, and Mr. Pelham (Secretary,) who objected to the motion being taken into consideration until the committee of accounts had made their report.

Mr. Flood, though labouring under severe illness, said, he was desirous that the resolution should be directed to the reduction in the army, as, in time of peace, a military establishment of 15,000 men was excessive. He proceeded to allude, in severe terms, to the conduct of the late Speaker, (Mr. Ponsonby,) in the administration of Lord Townsend; and concluded, by proposing an amend-

ment in these words: "That the military establishment in its present state affords room for practicable retrenchment."

Mr. George Ponsonby defended the conduct of his father: he related the history of the period alluded to by Mr. Flood, who, he said, had supported his father against Lord Townshend.

Mr. Flood said, he had not supported Mr. Ponsonby's interests, though he had opposed Lord Townshend; he would not, therefore, charge the late Speaker with ingratitude for opposing him. "But had I been his father's supporter, I have been ill requited, as the honourable gentleman (Mr. G. Ponsonby) called loudly for my dismissal, and even reproached ministers for delaying it: he may boast of whig principles, whig connections, and whig friends, but such conduct manifests whig apostacy." Mr. Ponsonby denied that he had called for the dismissal of Mr. Flood from office.

Mr. GRATTAN rose, and said, I shall not trouble you long, nor take up the time of the House by apologizing for bodily infirmity; I shall not speak of myself, or enter into a defence of my character, having never apostatized. I think it is not necessary for the House now to investigate what we know to be fact. I think it would be better to go into the business, as the House did upon another occasion, without waiting the formality of the report of a committee. As to myself, the honourable reward that a grateful nation has bestowed upon me, for ever binds me to make every return in my power, and particularly to oppose every unnecessary expence. I am far from thinking with the honourable gentleman, as to the speech; and, I believe, he will find instances where economy has been recommended from the throne, but prodigality practised: this was the case in Lord Harcourt's administration, — an administration which had the support of the honourable gentleman, and therefore he, of all men, cannot be at a loss to reject that illusory economy which has so often appeared in the speeches of Lord-lieutenants. With respect to the Genevese, I never could have thought it possible to give the speech such a bias as has been mentioned; and that people will be deceived, if they give credit to any declamation that infers from the words of the speech any thing but an honest economy in applying the public money fairly to their use.

The nation has derived great honour from this transaction, and I would be sorry to have it tarnished by inference and insinuation.

In 1778, when the burdens of this country were comparatively small, I made a motion similar to this: the honourable gentleman then opposed me. I have his sanction now that I was right, and he was wrong; and I say this, that though

gentlemen may for a while vote against retrenchments, they will at last see the necessity of them: yet, though I think retrenchment absolutely necessary, I am not very sure that this is just the time to make it in the army; now, when England has acted justly, I will not say generously; now, when she has lost her empire, when she still feels the wounds of the last unhappy war, and comforts herself only with the faithful friendship of Ireland. If, in 1769, when the liberties of Ireland were denied, and those of America in danger, it was thought unadvisable to retrench our army, there can be no such reason to reduce it now, when both are acknowledged and confirmed. When we voted 4000 men to butcher our brethren in America, the honourable gentleman should have opposed that vote; but perhaps he will be able to explain the propriety of sending 4000 Irishmen thither. But why not look for retrenchment in the revenue, and other departments? In my mind, the proper mode would be to form a fair estimate of what would be a reasonable peace-establishment, and reduce our several departments to it.

Mr. Flood. "The right honourable member can have no doubt of the propriety of my saying a word in reply to what he has delivered. Every member in the House can bear witness of the infirmity I mentioned, and, therefore, it required but little candour to make a nocturnal attack upon that infirmity; but I am not afraid of the right honourable member,—I will meet him any where, or upon any ground, by night or by day. I would stand poorly in my own estimation, and in my country's opinion, if I did not stand far above him. I do not come here dressed in a rich wardrobe of words to delude the people. I am not one who has promised repeatedly to bring in a bill of rights, yet does not bring in that bill, or permit any other person to do it. I am not one who threatened to impeach the Chief Justice of the King's Bench for acting under an English law, and afterwards shrunk from that business. I am not the author of the simple repeal. I am not one who, after saying the Parliament was a parliament of prostitutes, endeavoured to make their voices subservient to my interest. I am not one who would come at midnight, and attempt by a vote of this House, to stifle the voice of the people, which my egregious folly had raised against me. I am not the gentleman who subsists upon your accounts. I am not the mendicant patriot who was bought by my country for a sum of money, and then sold my country for prompt payment. I am not the man who, in this House, loudly complained of an infringement made by England, in including Ireland in a bill, and then sent a certificate to Dungannon, that Ireland was not included. I never was bought by the people, nor ever sold them: the gentleman says, he never apostatized; but I say, I never changed my principles: let every man say the same, and let the people believe them, if they can. But

if it be so bad a thing to take an office in the state, how comes the gentleman connected with persons in office? they, I hope, are men of virtue; or how came the gentleman so closely connected with Colonel Fitzpatrick? I object to no man for being in office: a patriot in office is the more a patriot for being there. There was a time when the glories of the great Duke of Marlborough shrunk and withered before those of the right honourable gentleman; when palaces superior to Blenheim were to be built for his reception; when pyramids and pillars were to be raised, and adorned with emblems and inscriptions sacred to his virtue; but the pillars and pyramids are now sunk; though, the great Earl of Chatham was held inferior to him: however, he is still so great, that the Queen of France, I dare say, will have a song made on the name of *Grattan*."

Mr. GRATTAN rose to reply.

In respect to the House, I would wish to avoid personality, and return to the question, but I must request the liberty to explain some circumstances alluded to by the honourable member. He has alluded to St.* Christopher's bill. I will declare the fact; when I received a copy of that bill, it gave me much pain, and much offence; I thought I saw the old intention of binding Ireland by English laws; I therefore spoke to that effect in this House. I also showed the bill to some of the most able and virtuous men in this kingdom, and they were of opinion that my suggestion was wrong; under this opinion I acquiesced, and the opinion has justified it. As to my coming at midnight to obtain a vote imposing silence on the people, I deny it; that business was mistated. My resolution was, to declare this country free, and that any person who should speak and write to the contrary, was a public enemy. The entire House, all the most revered and respected characters in the kingdom heard me, and know that what I say is true.

The resolution of the 19th July, 1782, was artfully and totally misrepresented. It was said, that it would have prevented the agitation of the question, whether the claim of England was relinquished. The answer is the resolution itself. I had shewn it to some gentlemen before I read it, and as it had been misunderstood by some, I thought it better, at that late hour, not to debate it, but to produce a resolution tantamount; and, as the motion had been misconceived, I gave copies of it; and as it had been misrepresented in the

* A bill regulating the trade between Great Britain and the islands of St. Christopher, Nevis, and Montserrat.

public papers, I sent copies of it to all of them, and I must observe, that the very gentlemen who had objected to it when they heard it indistinctly, after they read it, acknowledged the motion to be excellent. I will read it: "That this legislature is independent, and that any man who shall, by writing or otherwise, maintain that a right in any other country to make laws for Ireland, internally or externally, exists, or can be revived, is inimical to the peace of both kingdoms." Is this a truth, or is it not? Has any man a privilege to maintain, that Great Britain has a right, had a right, or can revive a right to make law for Ireland? is there any man who will say, that a person maintaining the doctrine is not criminal in the highest degree? Suppose any member should maintain, that Great Britain has, or can have, a right to make laws for Ireland, would you not bring him to the bar? And suppose any man should publish such a doctrine, would you not order the publication to be burned by the hangman?

The resolution was a declaration of right, and more, for it made it criminal to deny your rights. In representing the resolution, they changed the terms of it, as they perverted its meaning. They made the resolution say, that every man who agitated the question whether the British Parliament had relinquished her claims, was criminal; whereas, the resolution said, that any man who maintained a right in the British Parliament over Ireland, was criminal. Now, it may be very criminal to assert, that the Parliament of England has a right over Ireland, and yet very fair to examine whether she has relinquished her pretensions. In short, you had before declared in your address, the rights of your country, and the resolution was declarative that it was criminal to deny them. No man has a right to deny the liberty of his country. Here the privilege of the press stops, and the rights of the individual also: both have a right to maintain the liberty of their country, as they have an obligation to defend it; but neither have a right to deny or betray her liberty. Such a right would be, in fact, no right, but the licence of self-destruction; neither the press nor the individual have a right to question the principles of the laws of nature, or of the laws of the land. No man has a privilege to maintain the rights of murder or of tyranny. What! maintain that you are not free because you have no privilege to assert a right in England to take away your liberty? What is the law that excludes the supremacy of the Pope? does it not make the maintaining that right penal? Does that law take away your liberty? What is the law with respect to the house of Stuart? does not that law make the assisting the rights of that family penal?

Does that law take away your liberty? Does the honourable member think it reasonable to be withheld from asserting the rights of the Pope and the Pretender, provided we have a privilege of denying our own? What is the jurisdiction act? It declares, that the rights claimed by Ireland shall not be questioned: it is my resolution. The resolution says, you shall not maintain a right in England to make laws for you. The act says, you shall not question the rights of Ireland. Both impose silence on those men who would deny the liberties of Ireland. How comes it that the act has not alarmed you? The fact is, that the resolution was studiously misrepresented, and the privilege of the press employed to delude the understanding of the public.

It was said "that the pen would fall from the hand, and the fœtus of the mind would die unborn," * if men had not a privilege to maintain a right in the Parliament of England to make law for Ireland. The affectation of zeal, and a burst of forced and metaphorical conceits, aided by the acts of the press, gave an alarm which, I hope, was momentary, and which only exposed the artifice of those who were wicked, and the haste of those who were deceived.

But it is not the slander of an evil tongue that can defame me. I maintain my reputation in public and in private life; no man who has not a bad character, can ever say that I deceived; no country can call me cheat; but I will suppose such a public character. I will suppose such a man to have existence; I will begin with his character in his political cradle, and I will follow him to the last state of political dissolution.

I will suppose him, in the first stage of his life, to have been intemperate; in the second, to have been corrupt; and, in the last, seditious: that, after an envenomed attack on the persons and measures of a succession of viceroys, and after much declamation against their illegalities and their profusion, that he took office, and became a supporter of Government when the profusion of ministers had greatly increased, and their crimes multiplied beyond example; when your money bills were altered without reserve by the council, when an embargo was laid on your export trade, and a war declared against the liberties of America; at such a critical moment I will suppose this gentleman to be corrupted by a great sinecure office to muzzle his declamation, to swallow his invectives, to give his assent and vote to the ministers, and to become a supporter of Government, its measures, its embargo, and its

* Mr. Flood's expression.

American war. I will suppose that he was suspected by the government that had bought him, and in consequence thereof, that he thought proper to resort to the acts of a trimmer, the last sad refuge of disappointed ambition, that, with respect to the constitution of his country, that part, for instance, which regarded the mutiny bill when a clause of reference was introduced, whereby the articles of war, which were, or hereafter might be, passed in England, should be current in Ireland without the interference of her Parliament; when such a clause was in view, I will suppose this gentleman to have absconded: again when the bill was made perpetual, I will suppose him again to have absconded; but a year and a half after the bill had passed, then I will suppose this gentleman to have come forward, and to say, that your constitution had been destroyed by the perpetual bill. With regard to that part of the constitution that relates to the law of Poynings, I will suppose the gentleman to have made many a long, very long, disquisition before he took office, but, after he received office, to have been as silent on that subject as before he had been loquacious. That, when money bills under colour of that law, were altered year after year, as in 1775 and 1776, and when the bills so altered were resumed and passed, I will suppose that gentleman to have absconded or acquiesced, and to have supported the minister who made the alteration; but when he was dismissed from office, and a member introduced a bill to remedy this evil, I will suppose that this gentleman inveighed against the mischief, against the remedy, and against the person of the introducer, who did that duty which he himself for seven years had abandoned. With respect to that part of the constitution which is connected with the repeal of the 6th of George the First, when the adequacy of the repeal was debating in the House, I will suppose this gentleman to make no kind of objection; that he never named, at that time, the word renunciation; and that, on the division on that subject, he absconded; but, when the office he had lost was given to another man, that then he came forward, and exclaimed against the measure; nay, that he went into the public streets to canvass for sedition, that he became a rambling incendiary, and endeavoured to excite a mutiny in the volunteers against an adjustment between Great Britain and Ireland, of liberty and repose, which he had not the virtue to make, and against an administration, who had the virtue to free the country without buying the members.

With respect to commerce, I will suppose this gentleman

to have supported an embargo which lay on the country for three years, and almost destroyed it; and when an address in 1778, to open her trade was propounded, to remain silent and inactive; and with respect to that other part of her trade, which regarded the duty on sugar, when the merchants were examined in 1778, on the inadequate protecting duty, when the inadequate duty was voted, when the act was re-committed, when another duty was proposed, when the bill returned with the inadequate duty, substituted, when the altered bill was adopted, on every one of those questions I will suppose the gentleman to abscond: but a year and half after the mischief was done, he out of office, I will suppose him to come forth, and to tell his country, that her trade had been destroyed by an inadequate duty on English sugar, as her constitution had been ruined by a perpetual mutiny bill, with relation to three-fourths of our fellow-subjects, the Catholics, when a bill was introduced to grant them rights of property and religion; I will suppose this gentleman to have come forth to give his negative to their pretensions; in the same manner, I will suppose him to have opposed the institution of the volunteers, to which we owe so much, and that he went to a meeting in his own county, to prevent their establishment; that he himself kept out of their associations; that he was almost the only man in this House that was not in uniform, and that he never was a volunteer until he ceased to be a placeman, and until he became an incendiary.

With regard to the liberties of America, which were inseparable from ours, I will suppose this gentleman to have been an enemy decided and unreserved; that he voted against her liberty, and voted, moreover, for an address to send 4000 Irish troops to cut the throats of the Americans; that he called these butchers "armed negociators," and stood with a metaphor in his mouth, and a bribe in his pocket, a champion against the rights of America, the only hope of Ireland, and the only refuge of the liberties of mankind. Thus defective in every relationship, whether to constitution, commerce, and toleration, I will suppose this man to have added much private improbity to public crimes; that his probity was like his patriotism, and his honour on a level with his oath; he loves to deliver panegyrics on himself. I will interrupt him, and say, Sir, you are much mistaken if you think that your talents have been as great as your life has been reprehensible; you began your parliamentary career with an acrimony and personality which could have been justified only by a supposition of virtue: after a rank and clamorous opposition, you became on a sudden *silent*; you were silent for seven years: you were

silent on the greatest questions, and you were silent for money! In 1773, while a negociation was pending to sell your talents and your turbulence, you absconded from your duty in parliament, you forsook your law of Poynings, you forsook the questions of economy, and abandoned all the old themes of your former declamation; you were not at that period to be found in the House; you were seen, like a guilty spirit, haunting the lobby of the House of Commons, watching the moment in which the question should be put, that you might vanish; you were descried with a criminal anxiety, retiring from the scenes of your past glory; or you were perceived coasting the upper benches of this House, like a bird of prey, with an evil aspect and a sepulchral note, meditating to pounce on its quarry: — these ways, they were not the ways of honour, you practised pending a negociation which was to end either in your sale or your sedition: the former taking place, you supported the rankest measures that ever came before Parliament; the embargo of 1776, for instance. "O, fatal embargo, that breach of law, and ruin of commerce!" You supported the unparalleled profusion and jobbing of Lord Harcourt's scandalous ministry, — the address to support the American war, — the other address to send 4,000 men, which you had yourself declared to be necessary for the defence of Ireland, to fight against the liberties of America, to which you had declared yourself a friend; — you, Sir, who delight to utter execrations against the American commissioners of 1778, on account of their hostility to America; — you, Sir, who manufacture stage-thunder against Mr. Eden, for his anti-American principles; — you, Sir, whom it pleases to chaunt a hymn to the immortal Hamden; — you, Sir, approved of the tyranny exercised against America; — and you, Sir, voted 4,000 Irish troops to cut the throats of the Americans fighting for their freedom, fighting for your freedom, fighting for the great principle, *liberty*; but you found, at last (and this should be an eternal lesson to men of your craft and cunning), that the King had only dishonoured you; the Court had bought, but would not trust you; and having voted for the worst measures, you remained, for seven years, the creature of *salary*, without the confidence of Government. Mortified at the discovery, and stung by disappointment, you betake yourself to the sad expedients of duplicity; you try the sorry game of a trimmer in your progress to the acts of an incendiary; you give no honest support either to the Government or the people; you, at the most critical period of their existence, take no part, you sign no non-consumption agreement, you are no volunteer, you oppose no perpetual

mutiny bill, no altered sugar bill; you declare, that you lament that the declaration of right should have been brought forward; and observing, with regard to prince and people, the most impartial treachery and desertion, you justify the suspicion of your Sovereign, by betraying the government as you had sold the people: until, at last, by this hollow conduct, and for some other steps, the result of mortified ambition, being dismissed, and another person put in your place, you fly to the ranks of the volunteers, and canvass for mutiny; you announce that the country was ruined by other men during that period in which she had been sold by you. Your logic is, that the repeal of a declaratory law is not the repeal of a law at all, and the effect of that logic is, an English act affecting to emancipate Ireland, by exercising over her the legislative authority of the British Parliament. Such has been your conduct, and at such conduct every order of your fellow-subjects have a right to exclaim! The merchant may say to you — the constitutionalist may say to you — the American may say to you — and I, I now say, and say to your beard, Sir, — you are not an honest man.

Mr. Flood rose to reply, but after having proceeded some length in his defence, he fell so much out of order, that the Speaker interfered. He declared how much pain he had suffered in permitting this contest to proceed, and that nothing but the calls of the House, to hear the two members, should have made him sit so long silent. He requested Mr. Flood would sit down, with which request he complied, and shortly after retired. The Speaker issued his warrant to apprehend the parties, and Mr. Flood was shortly after taken into custody. The House then directed that search should be made for Mr. Grattan, and the parties were bound over. It was then moved, that the motion of Sir Henry Cavendish be taken into consideration, immediately after a report be made from the committee of accounts; and it passed in the affirmative.*

* The speech which Mr. Flood delivered in his defence, some nights after this, is inserted in the Appendix.

MILITARY REDUCTION.

MR. FLOOD MOVES AN ADDRESS TO HIS MAJESTY, STATING THE EXPENCES OF THE COUNTRY, AND PRAYING A REDUCTION OF THE ARMY.

November 3. 1783.

THIS day, Mr. Flood, after dwelling on the heavy expences of the country, and the greatness of the military force, declared, that a retrenchment in the military establishment had become absolutely necessary; he therefore moved, "That an humble address be presented to His Majesty, laying before His Majesty the said report; expressing also, that since that period, an augmentation of His Majesty's army hath taken place in this kingdom, whereby the military expences thereof have been considerably increased, that ever since, this nation has been running faster and faster into debt; and, notwithstanding great additional burdens, by new taxes, has yet been unable to restrain the public expences within the limits of the public income. And humbly submitting to His Majesty's royal wisdom and paternal benevolence, that it is the wish and prayer of His Majesty's faithful Commons, that the opportunity of the present conjuncture may not be omitted for making such reduction in the peace-establishment of the army, and such retrenchment of military expences, as may enable Your Majesty's faithful Commons, by a just economy, in all other points, to prevent the perpetual accumulation of national debt; a system ruinous, in the end, to the most opulent nation, but speedily destructive to a kingdom so limited in resources as this."

The motion was supported by Mr. Denis Brown, Mr. Molyneux, Mr. Luke. Gardiner, Sir H. Cavendish, Mr. Corry, Mr. Hartley, and Mr. Browne (of the College.)

It was opposed by the Attorney-general (Mr. Yelverton), Mr. Pelham (Secretary), Mr. Conolly, Sir Hercules Langrishe (the Provost), Mr. I. H. Hutchinson, Mr. Ogle, and Mr. Grattan, who said,

SIR, I rise to speak on this subject, which has been frequently before the House already. The question is, Will you withdraw from the common cause that quota of troops which hitherto you have maintained? Are the circumstances of the country such, as you think, demand it? and if you are weak enough to think so, will His Majesty assent to that opinion? There never was a time when we could make reduction with

a worse grace, because this country is now as eminently happy in trade, as Britain is the reverse.

In 1769, England possessed, almost unrivalled, the trade of all the world: she possessed America, and owed 150 millions less than she owes at present. Ireland had no trade at all, and her constitution was denied; yet, at that day, it was thought wise to augment the army; and shall we reduce it now, when we have obtained a free constitution, and a free trade? when we have obtained a judge's bill, a limited mutiny bill, an habeas corpus bill; when every thing that we have demanded, has been conceded? Shall we at that moment withdraw our quota of troops? Before she obtained those advantages, we said to Britain, that provided she would acknowledge our constitutional and commercial rights, we would stand or fall with her; and when they have been acknowledged, to the full satisfaction of every man, it is proposed to withdraw the support of our army. Suppose, instead of saying we will stand or fall with Britain, we had said, "And when these things shall be done, (when our rights shall be acknowledged and established,) we will then, in return, withdraw from you the support of our army:" and yet, in effect, this is the proposal at present made. I do not entirely agree in all that has been said of gratitude: we owe no gratitude but for the plantation trade; but this we owe to England, and to our own honour, *that we should not depart from an old covenant.* The navy of England protects our trade, and we, as an equivalent, pay 70,000*l.* a year to maintain the troops destined to serve in the plantations: this is not a dear purchase for partaking that which has cost England so many millions. Has success made us niggardly, and shall we become unkind to England, just at the moment she has shewn kindness to us? We have, indeed, held out the language of magnanimity to England, and shall we fail in the performance? No, there are many other places to make retrenchment: we grant a pension list of 80,000*l.* a year, yet complain of 70,000*l.* paid to an army, paid for the protection of the British navy. We may, indeed, make very great reductions in the army extraordinaries; we may make great reductions in the revenue department, and in others: those reductions will, I trust, far exceed the pay of our augmentation. These are retrenchments that ought to be made, but the number of our forces ought not to be diminished.

Mr. Conolly said, "I am against the reduction of the army. The augmentation was my measure, and I hope to see it go on and prosper."

The question was then put, when there appeared, Ayes 58, Noes 132; Majority against the question 74.

Tellers for the Ayes, Mr. Molyneux and the Hon. Denis Browne.
for the Noes, Sir Hercules Langrishe and Mr. O'Hara.

RETRENCHMENT.

November 10. 1783.

SIR H. CAVENDISH this day moved, to take into consideration the resolution of the 28th October last, viz. "That the condition of this kingdom requires that all practicable retrenchments be made in its expenses, consistent with the interest of the kingdom, and the honourable support of His Majesty's government."

The motion was seconded by Mr. Mason, and was supported by the Attorney-general (Mr. Yelverton).

Mr. Flood, (who, in consequence of illness, was obliged to speak sitting,) proposed an amendment. He said, the military establishment afforded ample room for retrenchment, and that it would be proper to direct the economy of government to that object, and not leave a latitude to administration to pursue whatever measure they pleased. He then moved to amend the resolution by adding, "That the military establishment of this country in particular, will admit of considerable retrenchment, inasmuch as 12,000 men are at present sufficient not only to maintain the defence of this kingdom, but also to afford Great Britain abroad, as many men as were granted to her use by the augmentation; and inasmuch as many and important savings may be made in the expense of maintaining that number of 12,000 men."

This was supported by Mr. Denis Browne, Mr. Molyneux, Mr. Parsons, Mr. Arthur Browne, and Mr. Brownlow. It was opposed by Major Doyle, General Lutterell, Mr. Denis Daly, and Mr. Grattan, who said,

I never gave a vote with more satisfaction in my life, than the vote I gave a few nights ago on this subject. I voted against the retrenchment of the military peace-establishment, to preserve the honour of the nation.

This motion has been put to-night upon a question which has been determined already, by a decision of this House. This establishment has been continued fourteen years.

When it was proposed before, it was moved that an address should be presented to His Majesty, accompanied with a report of 1768. To present such a report would be giving the idea that we could reconsider that report of 1768: that re-

port was then before the administration, and men of the first characters were parties in that report; it was made before the augmentation took place; it was made by the right honourable gentleman who voted for the augmentation in 1769. The question of this night set out with a fair prospect of ill-success; it is wanted to go into the establishment of 1751; but that is impossible. The first thing which stands in your way, is the additional pay to dragoons; you must strike off the pay to the dragoons, and the increase of pay to the infantry, and the allowances for expences. A soldier has to encounter expences in every article. Does the right honourable gentleman mean to go back to the middle of this century? Since that period the rent of lands have increased one-third; in order, therefore, to go back, you must lower the price of land, and even that would not be sufficient; you must alter the price of hay and oats, and all the necessaries of life. Making every allowance, what great advantage does he boast of? What would be the saving if the military establishment be reduced to what it was in 1751? In the pay of dragoons 5,100*l.* and 1,500*l.* in the pay of infantry: the half-pay must be broke: all expences together amount to 368,000*l.* The gentleman's political schemes are like nostrums; they will not answer the end proposed. The gentleman's arguments go to the question of the augmentation: but are we to take from the kingdom part of the support of the empire, merely to save to Ireland an expense of 52,000*l.* per year? for I can make it appear it is no more. You cannot decide for this motion with honour to your country. The revenues in 1769, when you voted this augmentation, were less; but the revenues for the last two years have increased 100,000*l.* per year. The free trade is a resource which we have not yet derived the benefit of; but it is such a resource as we had not when we voted the augmentation in 1769; you had not such resources as you have now.

What has been the change of affairs in England? Great Britain has added millions to her debt. You were the propounders of the augmentation, when the kingdom was labouring under every disadvantage in point of trade. Will gentlemen tell you now, that, animated with the spirit of liberty, being now in a superior situation to what you were in 1769, the maintaining of 15,000 men is distressful to Ireland? Every argument in favour of the augmentation in 1769 is in favour of it now; and will you now plead inability, in order to withdraw the covenant? I admire economy as much as any man; but will a generous nation make excuses for breach of a covenant! A nation which has two millions and a

half of men, and the benefit of the plantation trade, and an increasing revenue, is such a nation unable to support 15,000 men? This is a question of empire, and not of party.

I have heard in this House great professions of gratitude; and are we now to be told we want gratitude, or are we to banish the idea of generosity from these walls? I say, you owe to Great Britain the plantation trade. You have now an interest in the empire of England, to defend it against any attack of the House of Bourbon, and you are only to maintain a part of the army for the general defence of the empire; to maintain 15,000 men. It is but justice to maintain them, for Great Britain has increased her navy, which is for the protection of this kingdom as well as Great Britain; you are necessarily bound to contribute in some shape or other; and you are asked to continue the army of 15,000 men. Strike off all idle expences; look to the accounts, look to the civil establishment, there is an increase of 200,000*l.*; but the military establishment ought not to be cut off. Apply the amputation where necessary; but do not disband the army. The spirit of the people of England is in favour of Ireland; it is unwise to make her regret those periods in which she gave you advantages: there was a firmness and moderation in the conduct of Irishmen then, and the high character of Ireland will be advanced in adhering to the same conduct now. Great Britain was the object of your heart in 1769, and will you in 1783, be considered as wanting faith? for in 1782, you told Great Britain you would stand or fall by her. Will you now sully the honour of the Irish nation, by disbanding 3,000 men, for saving of 50,000*l.*, in order to take from England those men which you augmented in 1769, before you received any benefits?

No man has a greater respect for the people than I have; but with respect to the present question, it is for the honour of the nation these men should be maintained.

This is not a question of equalization; the point to be decided is, whether the expences of your army can be diminished? can you diminish the pay of a soldier a halfpenny per day? You cannot do it, or you must first order the prices of the necessaries of life to be less. It is not the object or wish of the people to pick the pocket of a poor soldier a halfpenny a day. I think it is for the interest of my country, that these 15,000 should be maintained, as they are part of the army, for the whole empire. I am for making all practicable retrenchments. Let us go into the committee, and see whether you cannot make other retrenchments. This question has been pretty fully discussed; I shall only add, that, as far as I know

of the present administration; they will enter into every practicable economy. I do not conform to them, but they conform to me. A man may do justice to both.

With respect to the court of admiralty in this kingdom, being put on an establishment separately from England, our right to external legislation was a spontaneous, unsolicited grant from Great Britain. We have got an annual bill of supply, but these measures were not blazoned out. With respect to the reduction of our military establishment, I never will consent to take away the forces of our common empire.

The House divided. — For the Amendment 65, against it 143.

The question, as proposed by Sir Henry Cavendish, was carried unanimously.

Tellers for the Ayes, the Hon. Denis Browne and Mr. Parsons.
for the Noes, the Hon. Gen. Lutterell and Major Doyle.

PARLIAMENTARY REFORM.

MR. FLOOD MOVES FOR LEAVE TO BRING IN A BILL FOR THE MORE EQUAL REPRESENTATION OF THE PEOPLE IN PARLIAMENT.

November 29. 1783.

THE volunteers, conscious that they had powerfully contributed to obtain the liberties of their country, and that they had been the instrument to influence as well as to assist the House of Commons in the noble part which it had taken in that revolution, proceeded to examine the constitution of the body itself. They found that the representation was in the hands of a few individuals; that in a body composed of 300 persons, two-thirds were borough members: they therefore proceeded to adopt measures for its reform. They appointed in each county a certain number of delegates, and directed them to meet in a convention in Dublin, to devise the best mode to remedy the defects in the representation: the number of delegates amounted to 200, most of whom accepted the trust, and assembled at the rotunda: among the number elected, were the Bishop of Derry (Lord Bristol), Lord Charlemont, Lord Farnham, Lord Aldborough, Lord Kingsborough, Right Hon. Wm. Brownlow, Right Hon. Thomas Conolly, Right Hon. Robert Stewart, Mr. Robert Day (afterwards Justice in the King's Bench), Mr. Henry Flood, Sir Wm. Parsons, Richard Lovell Edgworth, Sir Edward Newenham, and Sir Richard Musgrave. The convention sat for three weeks, prepared a plan of

reform, chiefly with the assistance of Mr. Flood, to whom they entrusted it for presentation to the House of Commons. These proceedings excited great interest, and no small degree of apprehension. On this day (the 29th), the subject came before the consideration of the House, when

Mr. Flood, after a few remarks, moved for leave to bring in a bill for the more equal representation of the people in parliament. It had been generally understood that the bill had been prepared by the volunteers at the rotunda; and that Mr. Flood had been directed by them to propose it to the House.

The Attorney-general (Mr. Yelverton) opposed it: he said, "I do do not mean to go into the discussion of the bill; but I would wish the hon. member would now state the necessity there is for bringing it in at all, and also who those persons are who are discontented. The sudden irruption of this bill surprises me; for before yesterday I never heard of it. The hon. gentleman (Sir Edward Newenham), who mentioned the business of a parliamentary reform, said, he would give ten days' notice before he brought it in; but since it is thus obtruded upon us, I would ask the hon. member who offers it to us, what are the objects of this bill? by whom is it sent to us?

"If this bill, as it is notorious it does, originates from an armed body of men, I reject it. Shall we sit here to be dictated to by the point of the bayonet? I honour the volunteers; they have eminently served their country; but when they turn into a debating society, to reform the parliament, and regulate the nation; when, with the rude point of the bayonet, they would probe the wounds of the constitution, that require the most skilful hand and delicate instrument; it reduces the question to this, Is the Convention or the Parliament of Ireland to deliberate on the affairs of the nation? What have we lately seen? even during the sitting of Parliament, and in the metropolis of the kingdom, armed men lining the streets for armed men going in fastidious shew to that pantheon of divinities, the rotunda; and there sitting in all the parade, and in the mockery of Parliament! shall we submit to this?

"I ask every man who regards that free constitution established by the blood of our fathers, is such an infringement upon it to be suffered? If it is, and one step more is advanced, it will be too late to retreat. If you have slept, it is high time to awake!

"Is this a time for dangerous innovation, when we enjoy perfect liberty of trade and constitution? Will this band of armed men, in a few days, frame a constitution that has taken ages to erect? Shall we, when we have got that constitution which we asked for, throw it away like a child's bauble?

"I would say to our volunteers, You have served your country, you have obtained constitution and commerce; and now, instead of dictating to the legislature of the kingdom, go to your homes, cultivate the blessings of peace, enjoy the fruits of your virtue, and leave the business of legislation in those hands where the laws have placed it."

"Mr. Flood (said the hon. member) states, that if the volunteers have approved of the bill, he will oppose it; — but I say, I bring it in as a member of this House, supported with the powerful aid of the right hon. gentleman, who sits behind me, (Mr. Brownlow.) We bring it in as members of parliament, never mentioning the volunteers. I ask you, will you receive it from us — from us, your members, neither intending by any thing within doors, or without, to intimidate or overawe you? I ask, will you receive it as our bill, or will you conjure up a military phantom of interposition to affright yourselves? I have not introduced the volunteers; but if the volunteers are aspersed, I will defend their conduct against all the world. By whom were the commerce and the constitution of this country recovered? By the volunteers. Why did not the right hon. gentleman make a declaration against them, when they lined our streets, when Parliament passed through ranks of those virtuous armed citizens, to demand the rights of an insulted nation? Are they different men at this day, or is the right hon. gentleman different? He was then one of their body: he is now their accuser! he, who saw the streets lined, who rejoiced, who partook in their glory, is now their accuser! What has changed them since that time? Are they less wise, less brave, less ardent in their country's cause, or has their admirable conduct made him their enemy? May they not say, We have not changed, but you have changed? He cannot now bear to hear of volunteers; but I will ask him, and I will have *a starling taught to hollow it in his ear*, Who got you the free trade? who got you the free constitution? who made you a nation? The volunteers. If they were the men you now describe them, why did you accept of their service? why did you not then accuse them? If they were so dangerous, why did you pass through their ranks, with your Speaker at your head, to demand a constitution? why did you not then fear the ills you now apprehend? Have your Lord-lieutenants refused the service of those men? Look back to their offers in Lord Carlisle's administration. Have not such of them as could obtain that honour, been proud to be escorted by them to the sea? and have not Parliament returned repeated thanks to this body of men, who are now so degenerated, that rectitude becomes depravity in them? Were not resolutions sought from them to give a sanction to the inadequate security of simple repeal? When betrayed into wrong, they were cherished; — but now, when right, opposed.

"What do some of the greatest men in England say, speaking of the volunteers? 'That the history of mankind, the annals of the world, do not furnish such another glorious example of patriotism and moderation.' And now will any man condemn them, if they wish to crown themselves with never-fading glory, and finish their labours, by rendering perfect the constitution that their virtues have acquired?"

The motion was supported by Mr. Molyneux, Mr. Brownlow, Mr. John O'Neill, Mr. Browne, Mr. Montgomery, Mr. Brooke,

Mr. Hartley, Mr. Parsons, Mr. Forbes, Mr. Hardy, Mr. Curran, and Mr. Grattan. They maintained the necessity of reform; the narrow state of the representation rendered it requisite; that it was indecent to reject such a measure in the first instance: the motion was one purely originating with the mover, although it was a favourite object of the volunteers: men should consider what unparalleled services they had rendered their country, and the House should not treat with disrespect a measure favourable to that constitution which the volunteers had restored.

The motion was opposed by Mr. Denis Daly, Mr. Kelly, (Prime Serjeant,) Mr. Fitzgibbon, Sir Hercules Langrishe; Mr. George Ponsonby, Mr. Wellesley Pole, Mr. Bushe, Mr. Arthur Wolfe, Mr. Toler, and the Provost, (Mr. Hutchinson.)

Mr. GRATTAN said, I am decidedly the friend of a parliamentary reform; it has always been my favourite object to increase by this means the power of the people. I am glad to investigate the subject, let it come from what quarter it may; nor does its coming as it does, seem to me a questionable shape, nor do I see any thing to justify an opposition to my favourite scheme. I love to blend the idea of parliament and volunteers; they have hitherto concurred in establishing our constitution in the last parliament, and I hope they will do it in the present. I recommend, therefore, an union between Parliament and the illustrious body of volunteers, which union it shall be the study of my life to preserve.

The question was then put, "That leave be given to bring in a bill for the more equal representation of the people in parliament, and that Henry Flood, Esq., the Right Honourable William Brownlow, and Sir Edward Newenham, do prepare and bring in the same."

The House divided. Ayes 77, Noes 157.

Tellers for the Ayes, The Right Honourable William Brownlow, and Sir Edward Newenham.

Tellers for the Noes, Mr. Fitzgibbon, and Honourable Richard Hely Hutchinson.

The Attorney-general (Mr. Yelverton) then moved, "That it is now become indispensably necessary to declare, that the House will maintain its just rights and privileges against all encroachments whatsoever."

The House then divided. Ayes 150, Noes 68.

Tellers for the Ayes, Mr. Fitzgibbon, and Honourable Richard Hely Hutchinson.

Tellers for the Noes, Right Honourable William Brownlow, and Sir Edward Newenham.

Mr. Conolly then moved, "That an humble address be presented to His Majesty, to declare the perfect satisfaction which we feel in the many blessings we enjoy under His Majesty's most auspicious government, and our present happy constitution, and to

acquaint His Majesty, that at this time we think it peculiarly incumbent upon us to express our determined resolution to support the same inviolate with our lives and fortunes."

This resolution was opposed by Mr. Grattan; it was, however, carried in the affirmative.

SPEAKER'S SPEECH.

December 22. 1783.

ON this day the Speaker presented the money bills for the royal assent, on which occasion he delivered the following speech:

"May it please Your Excellency,

"History cannot furnish many instances of such remarkable events as have happened in the course of the last seven years; of those, none are more worthy of observation than the changes in the human mind, and the more so, because they have been produced by causes, from which they were the least to be expected; new tenets, more consonant to the principles of humanity and justice, have been universally adopted in civil and religious policy; these are the happy, but unexpected, fruits of calamitous war. In other countries, national benefits may have compensated for national misfortunes; but it has been the peculiar felicity of this kingdom, to acquire the former without feeling the severities of the latter: to her steady virtue she owes these glorious attainments, and by her virtue, I am confident she will preserve them, and transmit to posterity, unimpaired, the British constitution, the very essence of which is, liberty and order. Good government and liberty are inseparable; they are necessary to, and mutually support and protect each other, and neither can exist without the other.

"The Commons, since the commencement of this session, have directed their attention to those important objects, which were so wisely recommended to them by Your Excellency, to improve and secure those advantages, which had been acquired in the last parliament; they have also made provision, without laying any new burthens upon the people, for the honourable support of His Majesty's government, and for the discharge of the arrears upon the establishments; and they have the fullest confidence that Your Excellency will represent them to His Majesty as loyal, dutiful, and affectionate subjects."

ADDRESS TO THE LORD-LIEUTENANT.

(LORD NORTHINGTON.)

February 18. 1784.

MR. BRABAZON PONSONBY, after stating the conduct and merits of the Chief Governor, moved that an "humble address be presented to His Excellency."

Mr. Connolly seconded the motion. It was opposed by Sir Edward Newenham, Mr. Arthur Browne, and Mr. Molyneux. Mr. O'Hara moved an amendment, "that the concluding paragraph, which appeared to allude to, and reflect on, the volunteers, should be omitted:" he accordingly moved that it be expunged. He was seconded by Mr. Griffith. The address was supported by Mr. Corry, Mr. Mason, Mr. George Ponsonby, Sir Richard Musgrave, Sir John Powell, and General Cunningham.

Mr. GRATTAN said, An honourable baronet has taken notice that the word 'economy' is not to be found in the address; he will be so good as to recollect that Lord Northington has not been above eight months in this kingdom, and therefore has not had time to do much; but if he has not greatly diminished the national expences, he has done more than most of his predecessors, for he has not at all increased them. The army has been mentioned as an instance of profusion; but will any man lay the blame of a vote of parliament at the door of a lord-lieutenant? As to any scheme of systematic reduction, that was impossible from the shortness of Lord Northington's administration; but we must not forget that no objection was made from him when the expence of collecting the revenue was proposed to be reduced; formerly, it was objected to; therefore, with this symptom in his favour, we cannot condemn him for not having had time to carry a scheme of retrenchment into execution.

As to commercial advantages, I will state a duty on foreign beer, which must operate powerfully in favour of our own breweries, and of our tillage. When this was announced to the House, I recollect the honourable baronet rising, and, laying his hand upon his heart, he returned thanks for so great a favour. Surely the spirit of the times is much changed, if gentlemen now despise what they then held in high estimation; surely, the gratitude of the House is wonderfully altered, if gentlemen forget that for which so lately they made such strong acknow-

ledgments. Another advantage is, the duty laid upon calico, in favour of our own manufacture. The duty on sugar, that has been conceded this session, was formerly thought an object of the first magnitude in our commerce; it is now of no consequence, because gentlemen speak in opposition; or, is it because His Excellency, having no points to carry against the interests of the kingdom, has not taken pains to blazon out arts which tend to magnify the prosperity of the country?

With respect to constitution, an idea totally new and unsolicited, was introduced into our admiralty bill, that is, to cut off any appeal to the British admiralty; by which all that foolish supposition of any power of external legislation for Ireland remaining in Great Britain, is for ever done away.

A charge has been made by the representative of the seat of learning, that justice is delayed! I lament that it is. I agree with him that it is an evil; but, whoever considers the situation of the Lord-lieutenant, will see that it cannot be attributed to him; for the adjournments together make just the time that His Majesty has commanded His Excellency to demand. I lament the situation of England, that makes those adjournments necessary and unavoidable: for it is plain, if there be no minister in England there can be none here. Were I to indulge my private regards, they are much in His Excellency's favour; his administration in general I have supported, and I think this address justly due to his merit.

The question was then put, For the amendment 5, Against it 109; Majority 104.

Tellers for the Ayes, Mr. Bushe and Mr. Mason.
for the Noes, Sir Edward Newenham and Mr. Molyneux.

CHANGE OF MINISTERS.

1784.

ON the 17th of December, Mr. Fox's India bill was rejected by the Lords, on a division of 95 to 76. At twelve o'clock on the following night, a messenger delivered to the two Secretaries of State, His Majesty's orders, "that they should deliver up the seals of their offices, and send them by the Under-Secretaries, Mr. Frazer and Mr. Nepean, as a personal interview on the occasion would be disagreeable to His Majesty." The seals were immediately given by the King, to Earl Temple, who sent letters of

dismission the day following to the rest of the Cabinet Council; at the same time, Mr. Wm. Pitt was appointed first lord of the Treasury and chancellor of the Exchequer; and Earl Gower, president of the Council.

The following is a list of the new administration:

GREAT BRITAIN.

First Lord of the Treasury and Chancellor of Exchequer — Rt. Hon. W. Pitt.
Secretary of State for the Foreign Department — Marquis Carmarthen.
Secretary for the Home Department — Lord Sidney.
President of the Council — Earl Gower (succeeded by Lord Camden.)
Lord Privy Seal — Duke of Rutland (succeeded by Lord Gower.)
First Lord of the Admiralty — Lord Howe.
Lord Chancellor — Lord Thurlow.

(The above composed the Cabinet.)

Master General of the Ordnance — Duke of Richmond.
Attorney-General — Lloyd Kenyon (afterwards Lord.)
Solicitor-General — Richd. Pepper Arden, Esq. (afterwards Lord Alvanley.)
Joint Paymasters of the Forces — Right Hon. W. W. Grenville (afterwards Lord Grenville), and Lord Mulgrave.
Treasurer of the Navy — H. Dundas (afterwards Lord Melville.)
Secretary at War — Sir Geo. Yonge, Bart.
Secretaries to the Treasury — Geo. Rose, Esq. and Thos. Steele, Esq.

IRELAND.

Lord-Lieutenant — Duke of Rutland.
Secretary to the Lord-Lieutenant — Thomas Orde, Esq.
Chancellor of the Exchequer — Wm. Gerard Hamilton.
To continue Lord Chancellor — Lord Lifford
Attorney-General — John Fitzgibbon (afterwards Lord Clare.)
Solicitor-General — Hugh Carleton (afterwards Lord Carleton and Judge in Common Pleas.
Prime-Serjeant — Thomas Kelly (afterwards Justice of Common Pleas.)

PARLIAMENTARY REFORM.

MR. FLOOD MOVES THE COMMITTAL OF THE BILL FOR A MORE EQUAL REPRESENTATION OF THE PEOPLE IN PARLIAMENT.

March 20. 1784.

ON a former day, Mr. Flood had obtained leave to bring in a bill to rectify certain defects in the representation of the people. The bill was received, and read a first time. On this day, after several petitions in its favour had been laid upon the table,

he moved "that the bill be read a second time, and committed:" the bill was accordingly read a second time: but on the motion for its being committed, it was opposed by Mr. Mason, Sir Hercules Langrishe, Sir Boyle Roche, Mr. Hewit, Mr. Hutchinson, Major Doyle, Mr. Wolfe, Mr. Day, Mr. Bushe, and Mr. Denis Daly. They contended that the measure was an innovation on the constitution, and that it would not tend to its amelioration. With respect to the bill in question, it was full of defects; it would, in fact, narrow, instead of extending, the representation of the people, by confining the right of voting to resident freeholders, and by requiring a greater number of qualified voters than the Irish boroughs afforded. The motion was supported by Mr. Brownlow, Mr. Montgomery, Sir H. Harstonge, Sir Edward Newenham, Mr. O'Hara, Mr. Ogle, Mr. Corry, Mr. A. Browne, Mr. Forbes, and Mr. Grattan. They stated that the voice of the people called for reform; there were petitions from twenty-six counties in its favour; that 100 boroughs returning 200 members out of 300, was not merely injurious to, but incompatible with, a free constitution. The bill went to remove that undue and dangerous influence, and restore the people to their property in the representation.

Mr. GRATTAN said, The question before the House is, whether this bill shall be committed? and that question should be decided by the principle of the bill, and not by any defect in its clauses. I believe that the present bill never can be carried into effect; but may not a bill be formed by correcting all the defects of this bill, and still preserving its principles? Every gentleman that thinks this may be done, will vote for the bill going into a committee, because that is the place to make alterations or improvements.

That this bill is an innovation on the constitution, I deny. The fundamental principles of the constitution are abused by the corruption of boroughs; and if they are, reformation becomes necessary. This bill goes to first principles: it is an innovation upon abuse! it is a renovation of the constitution! What was the octennial bill? what are our election laws but innovations upon abuses, and renovations of first principles? Our forefathers were not so apprehensive of innovation; the great charter was an innovation upon tyranny; the bill of rights was also an innovation upon tyranny; but they were both restorations of the people's rights.

It is said, that this bill will increase both the oligarchical and democratical factions of the state. This, I think, is impossible: the power of the commons and of the people are the same, and he is a bad man who would wish to separate them. It is not 300 gentlemen sitting in parliament, that form the Commons of Ireland, but those gentlemen and their consti-

tuents together. It is this alliance that gives strength and longevity to our constitution, which long ago would have fallen under tyranny, if not supported by the people: this is the cause why the constitution of England has not fallen, as that of France has, for want of such an invigorating principle.

Another argument is, "that we ought not to disfranchise those persons who at present enjoy the right of voting in boroughs:" but can that be called a franchise, which is used as private property, either to be sold or given away? Besides, we impose no hardship on those people, but what the law has already imposed; for the law of the land disallows the selling seats in parliament.

I have declared my approbation of the principle of the bill, and I will vote to have it committed; so far will I go, and no farther. I will not commit the Parliament, nor give my consent to any act, or resolution, or expression, injurious to the Commons, because that would be to discredit their authority, and impeach the law-makers; and what have we been contending for, but the supremacy of parliament? I acknowledge our constitution has some defects; but, such as it is, it is the best existing; and though it may be a proper subject for reform, it ought not to be the subject of calumny. Mr. Pitt has set us a proper example: animated with his father's patriotic spirit, he wished to invigorate the constitution of his country, to supply it with strength, and remedy its infirmities; but he felt a dutiful respect, which restrained him from any violent or rash proceeding; he knew, that if, by any excess of the reformer, a reform was once lost, every hope must perish with it.

Gentlemen have intimated that discontents may prevail among the volunteers, and the people, if this measure should be rejected. I doubt not but there may be some little ebullition; but nothing less than a miracle could convince me, that they will ever violate public peace and good order; they are restrained by the constitution they possess, and by the fame which they have acquired. When I declare this opinion of the volunteers, I know I speak before men, who, in conjunction with them, have done more than the barons at Runnymede, or the Convention Parliament; men, who have acquired more by wisdom and discretion, than others by the sword. I do not like the distinction, which says, the people and not the Parliament acquired the great objects for which this country lately contended: the distinction is neither just nor true; they were acquired by a happy concurrence and union of both.

Who acquired the free trade? The House of Commons.

Who restored the appellant jurisdiction? The House of Commons.

Who acquired the repeal of the 6th of George the First? The House of Commons.

Who framed an Irish mutiny bill? The House of Commons.

In a word, who obtained all that could be demanded or desired? The House of Commons, — backed, not bullied, by the volunteers; supported, but not intimidated. The volunteers never did, and never would attempt, to overawe the Parliament, under whom they formed that Parliament which they have pledged their lives and fortunes to support.

As the principle of this bill, Sir, goes to a reform, I will vote for going into a committee; the defective clauses may there be altered, as was done in the case of the bill for relieving our Catholic fellow-subjects, which I had the happiness to support. The right honourable gentleman who introduced that bill, being convinced of its imperfection, consented to an alteration of its form, retaining its principle and spirit; the same thing may be done with this bill, and I sincerely wish it may have the same effect.

Between three and four o'clock on Sunday morning, the question whether the bill should be committed, was put; and on a division, the numbers were, Ayes 85, Noes 159; Majority against the bill 74.

Tellers for the Ayes, Mr. Brownlow and Sir Edward Newenham.
for the Noes, Sir Hercules Langrishe and Mr. Mason.

CUSTOM-HOUSE OFFICERS.

MR. GRATTAN MOVES CERTAIN RESOLUTIONS RESPECTING THE SALARIES OF THE OFFICERS OF REVENUE.

March 31. 1784.

ON this day, Mr. Grattan brought up the report of the committee on the revenue expences, and the House went into a committee thereupon.

Mr. GRATTAN observed: Though the interference of a person so little acquainted with revenue matters in that department, which is so ably administered by the present com-

missioners, may have somewhat of an invidious aspect, yet I am happy to declare that those gentlemen have not viewed it in that light, but have with the utmost alacrity given me every possible assistance in promoting the object for which the committee was appointed; and it appears to me throughout, that they have acted not only honourably and diligently, but with a laudable ambition to distinguish themselves in the faithful discharge of the high trust reposed in them. I, therefore, desire it to be considered as not imputing the smallest fault, or applying the least censure, to those gentlemen, while I endeavour to rectify some errors and abuses, that, in a succession of many years, and under different boards, have found way into their revenue establishment. I beg to state the expence of collecting the revenue at two periods, viz. 1758 and 1783; in the former period, the expence was 81,000*l.*, in the latter, it was 180,000*l.*; I admit, that, in 1783, the sum of 23,000*l.* (the expence of the new custom house) is included, but deducting that, the expence of collecting amounted to 157,000*l.*

The increase of collecting does not arise from the increase of articles taxed, or any necessity of adding to the number of officers employed in collecting, as was obvious to any one who would consider that most of the new taxes were only additional duties on articles heretofore taxed; and it was as easy for an officer to receive two shillings as one on any article; therefore, that the increase of expence arose from the increase of salaries, may very fairly be presumed.

In the year 1758, the expence of collecting was about 13 per cent.; at present it is 16 per cent.

The revenue expences are divided into classes; the establishment and the incidents.

In 1758, the establishment was	£58,000
In 1783, - - -	92,000
In 1758, the incidents were	17,000
In 1783, - - - -	79,000

The per centage for a course of years fluctuated from ten to fourteen; at present it is sixteen: so that the expence of collecting the revenue is not increased by the increase of the revenue itself, but by the increase of the per centage.

I have now, Sir, shown you the facts, but not their causes; in order to come at their causes, I moved, that an account should be laid before the committee of all the additions that had been made to the revenue establishments since 1758, stating the causes of such additions, and the authority by which they were made: this account was made out; it employed several clerks for several weeks; and, indeed, so very

voluminous, that, I own, I have not yet had time to look through it; I do not, therefore, condemn nor approve what may there be found: when the committee examines, they will be the best judges; they will, I believe, see much to reform; and I am convinced from the candour of the commissioners, which I have already experienced, they will have their assistance.

I find that there exists a charity-fund for superannuated officers, such as have served forty years without censure: this fund is supplied by a stoppage of sixpence in the pound of all salaries, and the superannuated officer receives out of it three-fifths of his salary. When this fund has been found insufficient, from the increased number of revenue officers, pensions have been granted on the incidents, *in order to make it out.* The progress is natural, from private charity to public bounty, and from public bounty to abuse. Every man who is tired of doing his duty, or who is unable or unwilling to do it, if he can make interest with Government, gets an order to the commissioners, and is immediately put on the revenue incidents, from which he in fact receives a pension; not an open, but a masked pension. I do not speak of the present administration, or the present commissioners: — this abuse has been growing five and twenty years; the present is the proper time to check it.

I find that the number of pensions on the incidents are 343. I have made observations on almost all of them, but I will not go through the painful task of animadverting on them now, as my object is to prevent future abuses, not to disturb the present possessors. I must, however, remark, that having served forty years has not always been deemed a necessary title to a pension; thirty-eight years, thirty-five years, twenty-nine years, twenty-two years, and sometimes the words *long service*, have been deemed sufficient.

Great importunity, I know, will at last prevail over men; and however the commissioners may determine to act with rigorous attention, and to grant no pensions but to men who have served the necessary period of forty years, yet still they will be fortified in their determination by a resolution of this House. Besides, there are many offices in the revenue that may be performed by men who are become unfit for the more active and laborious duties; and by putting such men into those easy offices, the necessity of pensions may in a great measure be obviated.

The orders of Government have sometimes issued to place persons on the revenue incidents, without any reference to the commissioners, or any reason being assigned to entitle the

pensioner to such: this kind of procedure carries its own censure along with it. Government would not issue a peremptory order, if any reasons could be found for granting such pensions: this is, I think, a very great hardship on the commissioners, who often resisted, but resisted in vain. Where men are responsible, they should have power; and what they have not power to control, they should not be answerable for.

To remedy this abuse, and to fortify the commissioners, I will propose a resolution, "That no person shall be entitled to receive a pension on the revenue incidents, who has not served forty years without censure, or who has not been so wounded or hurt in discharge of his duty, as to be rendered totally unfit for service; or who is not the widow of some officer that has lost his life in the revenue service."

I find, Sir, that there have been granted several additional salaries, which have been continued to the successors of the grantee: this practice I would abolish, as nothing would be more absurd than to reward one man for the services performed by another.

Some expence has also been incurred by the experimental offices: these cannot be abolished, but may be limited to two years.

I come now to useless officers, whose employments, I think, ought to be abolished as they fall in; though it would be cruel to turn the present possessors adrift, as they have no other means of living.

And first, land-carriage officers. These appear to be of very little use, and, from the nature of their duty, cannot well be moved into any other situation. It is impossible for them to perform any considerable service, except by searching all persons coming in or going out of the city; and this would be a breach of law, and an high infringement of the subject's liberty.

I desired to know the amount of salaries paid to this class of men for ten years last past, and find that it amounts to 12,000*l.*; the seizures made by them in the same space of time amount to 1000*l.*; their usefulness may be estimated from those circumstances.

Coast-officers are of as little use as land-carriage officers; and, with them, ought to be abolished.

I sent for a paper to inform myself concerning hearth-money officers. I find that since the year 1760, the hearth-money has increased 10,000*l.* per annum, and that the expence of collecting it has increased one-third; the revenue of hearth-money has increased one-sixth, and the expence of

collecting it one-third: this is, in a great measure, owing to the creation of new collectors. I enquired into the necessity of that creation, and was informed, that it arose from the great extent of some of the former districts; a single collector beng formerly obliged to collect in a range often of from thirty to forty miles. Yet, I do not find that any great increase of the hearth-money took place directly after the creation of additional collectors; and the 10,000*l.* a year, which I have stated, may, I think, rather be supposed to arise from the increase of houses in twenty-four years, than from the increase of hearth-money collectors.

Hearth-money supervisors appear to me very useless officers, and may be put down; but this I submit to the commissioners: at present, I do not mean to take any further notice either of them or coast-officers.

The law expences incurred by the revenue every year are already enormously great, and ought to be reduced. I speak freely on this head, because I know that the present law-servants of the Crown are too independent of fortune and principle, to regard any vails of this sort.

The number of bills passed each session have increased, and the sessions being in future annual, must also multiply expence; this is, therefore, a subject worthy of enquiry: I do not mean to move any thing on it at present, but shall just mention that within a very short space, the law expences have amounted to 11,000*l.*

Revenue cruizers have been another subject of very great expence.

The seizures made by these vessels amount to 40,000*l.*

The expence of their establishment to 140,000*l.* Until of late there has been one great error in the mode of conducting of these vessels, which is now rectified by the commissioners. The error was this; the captain of each cruizer was permitted to supply his own crew with provisions, for which he made a charge against the revenue. Now, it is manifest, that this made it his interest to have nominally a large crew, but actually a small one; that it was his interest to stay on shore, where his men being at liberty to provide for themselves, while he charged their daily allowance; and that he never could want a pretence to stay on shore; and while he was always at liberty to have his vessel under repair, to enlarge her from time to time, always enlarging his crew in proportion; this was, indeed, a most happy invention to reward men for not doing their duty; and this I am happy to see abolished.

The next abuse that I shall state is, the absence of collectors from their districts.

The collector is an officer of very great consequence, and the true performance of his duty would be of high advantage to the public. In his district he has all the authority of a commissioner; he should regulate all the officers under him; and yet, so far are many collectors from doing this, that they scarce ever see the place of their collection, but leave the duty to be done by a clerk, whom the law does not recognize, and who is not answerable to the board for his conduct; he gives no security to the public; and not unfrequently have great sums been lost by trusting to such men. One of my resolutions, therefore, goes to compel the residence of collectors.

Another regulation that I think would much promote the due collection of the revenue is, the raising of officers from the lower to the higher departments in succession; I do not mean an indiscriminate succession by seniority, but that, in every department of the revenue, as at present in the excise, men acquainted with the business should rise by successive degrees, and that he who has been checked, should check in his turn.

The surveyors-general have two salaries, one a fixed salary of 300*l.* a-year on the establishment, the other 200*l.* on the incidents. I would wish to have this altered, and that they should be paid a premium of a certain sum per day, while they were in the performance of their duty.

I come now to the last article, though I mean first to move upon it, because gentlemen who coincide with me on most of the other points which I have mentioned, differ upon this.

The custom-officers — they were originally effective officers, but when the revenue was formed, they were rendered useless, and therefore we now find them on our civil establishment. Afterwards, when the Crown took the revenue into its own hands, it was thought prudent to employ in the collection the persons that had been employed by the farmers. The custom-house-officers continued useless; notwithstanding this, additional salaries have been granted to them, which are in fact masked pensions. I know while I speak on this subject, I stand on delicate ground; but with what face could I propose a reduction of petty officers, and leave those great ones remaining? The greatness of the persons who possess them are my best apology; for while their talents and fortune render them fit for the highest departments in the state, I trust their magnanimity will teach them to despise the paltry emoluments

of custom offices. I would not venture to speak thus to inferior minds; but as I have had the aid of some of those gentlemen in the other parts of the reform I have proposed, I doubt not they will assist me, even where they are themselves in some degree affected.

I have called those additional salaries masked pensions; they are so, indeed, and of the most exceptionable kind. There are not, indeed, above seven or eight of them in the kingdom; but they may increase, and this is the time to stop them. I have, therefore, prepared a resolution for that purpose, which will not affect the present possessors, but, eventually, will prove highly advantageous to the nation.

I shall now move the following resolution: "To prevent the grant of any future additional salary to custom-house officers."

This was opposed by Mr. Beresford, the Prime Serjeant, the Attorney-general (Mr. Fitzgibbon), and Sir Lucius O'Brien.

Mr. GRATTAN, in reply to Mr. Beresford, said, However we may differ in a few particulars, we agree in general. The fact is, that the revenue has increased, and part of the expence of collecting has increased; no doubt that the expences increased before the right honourable gentleman came into the revenue. I am sure he is just in every particular; and although there has not been a criminal increase lately, there has been an unnecessary expence, which he should wish to restrain. If ever we collected the revenue at ten, or at eight per cent., why should we now do it at sixteen? But we cannot be certain even of keeping it at sixteen. It has been said, that this does not come before the committee. I brought it on to stop public expence, and I see none so exceptionable as those I have mentioned. I only wish that when the time comes that offices cease, the expences may cease with them, and the officers may not be replaced. With respect to its not coming before the committee, the committee is now open under the business of the revenue, therefore it is proper. My right honourable friend (the attorney-general), has said this attacks the prerogative. I do not wish to attack the prerogative, but to prevent the growing expences of the kingdom. Similar acts have been passed without the supposition of attacking the prerogative; but, when there is a manifest abuse, shall not the House of Commons say, that it is so; and have they not a right to give their opinion, without its being thought an attack upon the prerogative? As to the additional

offices, they have not answered the purpose, and they ought to be abolished.

With respect to the present act of the revenue, it allows the King, or the Lord-lieutenant, to add salaries or pensions to officers doing duty. But here we have officers who do not do their duty; it is done by their deputies; therefore they are unnecessary; and unless you can show me they are useful offices, their salaries have been misapplied. Mr. Grattan paid many compliments to the present commissioners, and said, — An honourable gentleman (Mr. Fitzgerald) has spoken on the part of administration, and said, it was unjust to censure them, for they were the best. Pray, what reason have you to think them the best before they have been tried? but, even admitting them to be best, I do say, that no declaration or promise of theirs is so good, or so binding, as the resolutions of this House, to confine public expence within proper bounds.

The first resolution was negatived without a division; all the rest, being matters of mere regulation, passed unanimously.

MEETING OF PARLIAMENT.

ADDRESS TO THE LORD-LIEUTENANT, (DUKE OF RUTLAND.)

January 21. 1785.

ON the 20th, the House met pursuant to prorogation, when the Lord-lieutenant delivered the following speech from the throne: —

" My Lords and Gentlemen,

" I have His Majesty's commands to meet you in parliament, and to desire your advice and co-operation upon those affairs of importance, which, in the present circumstances of the kingdom, require your most serious attention.

" Whilst I lamented the lawless outrages, and unconstitutional proceedings, which had taken place since your last prorogation, I had the satisfaction to perceive, that these excesses were confined to a few places, and even there condemned. And I have now the pleasure to observe, that by the salutary interposition of the laws, the general tranquillity is re-established.

" Gentlemen of the House of Commons,

" I have ordered the public accounts to be laid before you. I have the fullest reliance on your approved loyalty to the King, and

attachment to your country, that a due consideration of the exigencies of the state will lead you to make whatever provisions shall be necessary for the public expences, and for the honourable support of His Majesty's government.

" My Lords and Gentlemen,

" I am to recommend, in the King's name, to your earnest investigation, those objects of trade and commerce between Great Britain and Ireland which have not yet received their complete adjustment. In framing a plan with a view to a final settlement, you will be sensible, that the interests of Great Britain and Ireland ought to be for ever united and inseparable, and His Majesty relies on your liberality and wisdom for adopting such an equitable system for the joint benefit of both countries, and the support of the common interest, as will secure mutual satisfaction and permanency.

" The encouragement and extension of agriculture and manufactures, and especially of your linen manufacture, will, I am persuaded, engage your constant concern. Let me likewise direct your attention, in a particular manner, to the fisheries on your coasts, from which you may reasonably hope for an improving source of industry and wealth to this kingdom, and of strength to the empire.

" The liberality which you have always shewn to the maintenance of your Protestant charter-schools, and other public institutions, makes it unnecessary for me to recommend them to your care. You cannot more beneficially exert this laudable spirit, than by directing your attention to improve, and to diffuse throughout the kingdom, the advantages of good education. Sensible of its essential consequence to the morals and happiness of the people, and to the dignity of the nation, I am happy to assure you of His Majesty's gracious patronage; and shall be earnest to give every assistance in my power to the success of such measures, as your wisdom may devise for this important purpose.

" It is the province of your prudence and discretion to consider what new provisions may be necessary for securing the subject against violence and outrage, for the regulation of the police, and the better execution of the laws, as well as for the general encouragement of peaceable subordination and honest industry. It will be a pleasing task to me to assist and promote your exertions for the tranquillity of the kingdom, for upholding the authority of the legislature, and supporting the true principles of our happy constitution both in church and state.

" The uniformity of laws and of religion, and a common interest in treaties with foreign states, form a sure bond of mutual connection and attachment between Great Britain and Ireland. It will be your care to cherish these inestimable blessings with that spirit and wisdom which will render them effectual securities to the strength and prosperity of the empire."

The Honourable Thomas Pakenham moved an address to His Majesty; he was seconded by Mr. Henry Gore. Lord Edward

Fitzgerald moved, that the words, "experienced moderation and firmness," which occurred in the address, as applied to the Lord-lieutenant, should be expunged, and, in their place, the words, "and whose private virtues entitle him to the esteem and regard of this House." Sir Edward Crofton seconded the amendment. After some remarks on the late proceedings of the Court of King's Bench, in the case of the sheriff of the county of Dublin, and the unconstitutional doctrine of attachments, the address and amendment were carried without a division.

On this day a committee was appointed to prepare an address to His Majesty; which, in import, was but an echo of the speech from the throne. When the report was brought up, Mr. Flood expressed his surprise at seeing in the speech that passage which stated the existence of "lawless outrage and unconstitutional risings." The only assemblies that had met were county-meetings for parliamentary reform, and no man could say they were unconstitutional; there had been some unconstitutional proceedings, and those were the proceedings in the Court of King's Bench. After dwelling on the impropriety of those measures against the Dublin sheriff, and having urged the necessity of a reform in parliament, he concluded with moving an amendment, by adding to the first paragraph the following words: "and of expressing our humble confidence, that Your Majesty's paternal benevolence to your loyal people of Ireland, aided by the counsels of ministers, who have decidedly declared in favour of a parliamentary reform in Great Britain, will comply with the wishes of your people in establishing in this kingdom that just and necessary confirmation of the constitution." This amendment was opposed by the Attorney-general (Fitzgibbon), Sir Hercules Langrishe, Sir Boyle Roche, Mr. Serjeant Toler, Mr. George Ponsonby, and Mr. Corry. The Attorney-general denied the charge that had been made against him by Mr. Flood, of having sent circular letters to the high-sheriffs of the different counties to prevent public meetings. He admitted that the proceedings against the sheriff of the county of Dublin had originated with him, and were perfectly agreeable to the law and constitution; that he had written to the sheriffs of the city of Dublin, to caution them against calling any meeting for the purpose of electing delegates to a general congress, and that if they did, he would prosecute them: they accordingly had refrained from such an illegal measure. He inveighed strongly against the proceedings resorted to for the purpose of obtaining parliamentary reform, and censured the amendment in the strongest manner. It was supported by Mr. T. Burgh, Mr. G. Ogle, Mr. Hartley, and Mr. Molyneux. Mr. Flood's amendment was, however, negatived without a division. When that part of the address was read where the words "our abhorrence of such lawless and unconstitutional proceedings" occurred,

Mr. GRATTAN said, I will not give this part of the address a silent vote. We are called upon to defend the authority of Parliament, and the majesty of the people; the first, against

encroachment; the latter, against misrepresentation. I approve of this part of the address, because it directly strikes at the violent and unconstitutional measures which have disgraced this country since the last session. One would naturally enquire the great call, or necessity, for all these extraordinary proceedings; one would suppose some great and fundamental principle of the constitution violated; that the principles of the revolution were invaded; that the petition of right had been infringed; that the great charter itself had been broken, or that the principles of the Irish revolution of 1782 had been invaded; that the Parliament of Great Britain had attempted to make laws for us; that the judicature of the Irish lords had been encroached upon; that the power of the council had been revived, or that an army had been perpetuated upon us without consent of Parliament. One would not have imagined what is the fact, that this country is in the full, free, and uninterrupted possession of the benefits of two revolutions, the English and the Irish; of the fruits of every exertion of both nations; that she is more free than ever she was before 1782, and as free as England at any period.

Notwithstanding this, we have seen a declaration that the Parliament of Ireland is incompetent. When? When it became independent. We have seen another declaration, that it is an intolerable grievance. When? When it became free. We have also seen an engagement to support with life and fortune whatever plan a body, called a national congress, might choose to adopt. Did these men know that a pledge of life and fortune, to support the plan of a congress, was an engagement to, rise in arms, and a transfer of allegiance? Did they recollect that they had before asserted the contrary? had asserted the sole and exclusive authority of the Irish Parliament, — had pledged their lives and fortunes to support it? that they had obtained a high character for that exertion, and that they were treading upon the memory of their own merit, as well as the laws of their country, when they thus addressed themselves to His Majesty and the public in such empty strains of vanity and presumption? But some had gone much further; they had petitioned the King to dissolve the Parliament, and to call another, not according to the laws, but according to that plan which a congress should frame. What! that His Majesty should break the charter of the land by his own prerogative! They had advised him to do more than James the Second did, when he abdicated the crown of both countries. Did those men know that they were petitioning the King to exercise more than a dispensing authority? that if the King had followed their advice, he might have lost

his crown, and they might have lost their heads, if they had attempted to support him in following their criminal suggestions? But I do these men the justice to suppose that they were not aware of the nature of their deliberations, that they had too much principle to do what they had folly enough to publish; that they were resorting to high-sounding declarations without any meaning whatever. Pity that a noble spirit should so degenerate and expose itself; that men should become too fond of an over-weaning interference; and deviating from the spirit of freedom, should insensibly contract the lust of power, and should call upon the sovereign to commit the excesses of despotism, whilst they thought they were only committing the excesses of liberty.

I would now wish to draw the attention of the House to the alarming measure of drilling the lowest classes of the populace, by which a stain had been put on the character of the volunteers. The old, the original volunteers had become respectable, because they represented the property of the nation; but attempts had been made to arm the poverty of the kingdom. They had originally been the armed property of Ireland. Were they to become the armed beggary! Will any man defend this? These measures I lament and condemn, because they have been called the measures of the people of Ireland; but the people have not been guilty, and are incapable of being guilty of such vanities. The nation has been solicited to rise, but she stands unshaken and unseduced, and it is an additional charge against those proceedings, that they assume the name of the people, without their authority. When men say the majority of the people, they mean constitutionally that they are the origin of power; but the populace differ much, and should be clearly distinguished from the people. I must condemn the appeal made to every class of the people without distinction, and the injury done to the constitutional electors of Ireland; for an attempt hath been made to bind the majesty of the people, and sacrifice her as a victim to the rage of the populace. An appeal to the latent and summary powers of the people should be reserved for extraordinary exigencies; but the rejection of a popular bill was no just cause for their exertion: they should be preserved sacred in the storehouse of the people, and husbanded for great occasions. They should not vulgarize popular exertions. I most sincerely lament the injuries which were done to the popular cause, as of a more lasting nature than those committed against the state. Government soon recovers from the alarm, and is compensated by increasing its advocates. Then, when we see any description of His Majesty's subjects denying

the powers of Parliament, pledging themselves to unknown plans of a body unknown to the constitution, they then, I say, forget the object of reform, tremble for their existence, and seek for shelter under the throne; but the people have no compensation. Who will restore to their country her union, her tranquillity, and her credit? What compensation can be made for the capital which has been drained, for the manufactures which have been deterred, and the character of the nation which has been sunk? We have seen the great instruments of popular power, — the popular resources of the country, wasted in idleness; the majesty of the people become a pageant, her thunder the play-thing of petty shew and public mummery, and the sacred language of grievance assumed by the cant of lunacy, hypocrisy and sedition. In regard to the national congress, it has been declared by some law-authorities in this House, illegal. This I will say of it, that I do not think establishments of that kind reconcileable to a House of Commons. Two sets of representatives, one *de jure*, and another supposing itself a representative *de facto*, cannot well co-exist. I condemn this meeting, and all other excesses, because they prejudice the reform of Parliament, at the same time that they insult its authority: they give the business of reform the cast and appearance of innovation or violence. The enemies of reform insist that it is an innovation, and that the people are too much inflamed to exercise with discretion an accession of power. I am a friend to the principle of reform, and deny both their positions, and lament that any description of men, however few, should give a pretence to such an argument. I dare say, some of these men whose measures I condemn, may mean well; I am sure they cannot mean all that their petitions and declarations proclaim. I think it fair and friendly to expostulate with them, by assuring them that they have been guilty of the wildest indiscretions, that they have gone much too far, and if they go on, they will overturn the laws of their country.

The question being put on the second paragraph, it was carried in the affirmative, and the address passed without opposition.

COMMERCIAL PROPOSITIONS.

MR. ORDE INTRODUCES THE PROPOSITIONS REGARDING THE TRADE BETWEEN IRELAND AND GREAT BRITAIN.

February 11. 1785.

ON the 7th, Mr. Orde brought forward ten resolutions regarding the trade and commerce of Ireland: they were read, and ordered to be printed. On this day the House went into a Committee on the subject. The Chancellor of the Exchequer (Mr. I. Foster), stated, that the 10th resolution had been withdrawn, with a view to amend it: it was introduced in order to put an end to the ruinous practice of running in debt, and to equalize the revenues and expenses of the kingdom. He said he would propose some additional taxes, so as to prevent in future that burthen which was so injurious to a commercial country; this equalization once established, it is proposed that no surplus of revenue shall accrue to the defence of the empire, until the exigencies of Government are all supplied. This alteration, he said, had been made by the advice and assistance of a Right Hon. Gentleman (Mr. Grattan), to whom the nation was so indebted for his integrity, his abilities, and success in the public service. The effect of this plan would be to insure future economy, and prevent future debt.

Mr. GRATTAN said, I am anxious to say a few words, both on the new resolutions and the plan. The resolutions I think absolutely indispensable; they have a three-fold principle; the first is, after the expenses of the nation are paid, to contribute to the general expense of the empire; the second is, that by making the surplus not applicable to the general expense, till all expenses are paid, it interests both the British and Irish ministers in Irish economy; the third is, to subject that surplus to the controul of the Irish Parliament. If the other resolutions had not passed, these ought still to be supported. They put an end to debt; they decide the great question of 1753; they establish Irish economy; they make the British ministry a guarantee to the integrity of this House, and the economy of Irish administration. The plan is open, fair, and just, and such as the British minister can justify to both nations. He gave to England what she had a right to expect, and perhaps he could not give her more.

After some opposition from Mr. Parsons, who opposed the reso-

lutions *in toto*, and some remarks from Mr. Flood, Mr. Corry, Mr. Daly, Mr. Brownlow and Sir Hercules Langrishe, the resolutions passed without much opposition. They are as follow:

1. Resolved, "That it is the opinion of this committee, that it is highly important to the general interest of the British empire, that the trade between Great Britain and Ireland be encouraged, and extended as much as possible; and for that purpose, that the intercourse and commerce be finally settled and regulated on permanent and equitable principles, for the mutual benefit of both countries.

2. Resolved, "That towards carrying into full effect so desirable a settlement, it is fit and proper that all articles, not the growth or manufacture of Great Britain and Ireland, should be imported into either kingdom from each other reciprocally, under the same regulations, and at the same duties, if subject to duties, to which they are liable when imported directly from the place of their growth, produce, or manufacture; and that all duties originally paid on importation into either country respectively, shall be fully drawn back on exportation to the other.

3. Resolved, "That for the same purpose, it is proper that no prohibition should exist in either country against the importation, use, or sale of any article, the growth, product, or manufacture of the other; and that the duty on the importation of every such article, if subject to duty in either country, should be precisely the same in one country as in the other, except where an addition may be necessary in either country, in consequence of an internal duty on any such article of its own consumption.

4. Resolved, "That in all cases where the duties on articles of the growth, product, or manufactures of either country, are different on the importation into the other, it would be expedient that they should be reduced in the kingdom where they are the highest, to the amount payable in the other; and that all such articles should be exportable from the kingdom in which they shall be imported, as free from duty as the similar commodities or home manufacture of the same kingdom.

5. Resolved, "That for the same purpose it is also proper, that in all cases where either kingdom shall charge articles of its own consumption with an internal duty on the manufacture, or a duty on the material, the same manufacture, when imported from the other, may be charged with a farther duty on importation, to the same amount as the internal duty on the manufacture; or to an amount adequate to countervail the duty on the material; and shall be entitled to such drawbacks or bounties on exportation, as may leave the same subject to no heavier burden than the home-made manufacture; such farther duty to continue so long only as the internal consumption shall be charged with the duty or duties, to balance which it shall be imposed, or until the manufacture coming from the other kingdom shall be subjected there to an equal burden, not drawn back or compensated on exportation.

6. Resolved, "That in order to give permanency to the settlement now intended to be established, it is necessary that no prohibition, or new or additional duties, should be hereafter imposed in either kingdom, on the importation of any article of the growth, product, or manufactures of the other, except such additional duties as may be requisite to balance duties on internal consumption, pursuant to the foregoing resolution.

7. Resolved, "That for the same purpose it is necessary farther that no prohibitions, or new or additional duties, should be hereafter imposed in either kingdom on the exportation of any article of native growth, product, or manufacture, from thence to the other, except such as either kingdom may deem expedient from time to time, upon corn, meal, flour, and biscuits; and also, except where there now exists any prohibition which is not reciprocal, or any duty which is not equal in both kingdoms; in every which case the prohibition may be made reciprocal, or the duties raised so as to make them equal.

8. Resolved, "That for the same purpose it is necessary that no bounties whatsoever shall be paid or payable in either kingdom, on the exportation of any article to the other, except such as relate to corn, meal, malt, flour, and biscuits, and such as are in the nature of brawbacks, or compensations for duties paid; and that no bounty should be granted in this kingdom on the exportation of any article imported from the British plantations, or any manufacture made of such article, unless in cases where a similar bounty is payable in Great Britain on exportation from thence, or where such bounty is merely in the nature of a drawback, or compensation of, or for duties paid, over and above any duties paid thereon in Britain.

9. Resolved, "That it is expedient for the general benefit of the British empire, that the importation of articles from foreign states should be regulated from time to time in each kingdom, on such terms as may afford an effectual preference to the importation of similar articles of the growth, produce, or manufactures of the other.

10. Resolved, "That it is essential to the commercial interests of this country, to prevent as much as possible an accumulation of national debt; and that therefore it is highly expedient that the annual revenues of this kingdom should be made equal to its annual expences.

11. Resolved, "That for the better protection of trade, whatever sum the gross hereditary revenue of this kingdom (after deducting all drawbacks, repayments, or bounties, granted in the nature of drawbacks) shall produce, over and above the sum of 656,000*l*, in each year in peace, wherein the annual expence, and in each year of war, without regard to such equality, should be appropriated towards the support of the naval force of the empire, in such manner as the Parliament of this kingdom shall direct."

On the 12th the report from the committee was brought up; the resolutions were severally read and passed.

The chancellor of the Exchequer then moved an address to His Majesty in these words:

"That it be resolved, by and Commons, in Parliament assembled, that the said resolutions be laid before His Majesty, together with an humble address to assure His Majesty that they are thoroughly sensible of His Majesty's unwearied attention to the welfare and happiness of his subjects; that our gratitude is peculiarly due to His Majesty for the measures which since the last session of parliament, have been taken by his royal command, towards forming an arrangement of commercial intercourse between Great Britain and Ireland: that with the most sanguine hope they look forward to the confirmation of these resolutions, containing the principles upon which they trust the commercial interests of the two nations will be finally established. When these shall be happily and fully carried into effect, through His Majesty's paternal goodness, and the wisdom and liberality of his Parliaments of Great Britain and Ireland, they shall, with the most sincere satisfaction, behold a system established upon the firm basis of reciprocal advantage, which will completely strengthen and cement the common interest and mutual affection of both kingdoms, and will indissolubly unite the efforts of all His Majesty's subjects of Great Britain and Ireland in maintaining the strength, increasing the resources, and extending the power and credit of the British empire; and that it is their fervent prayer that His Majesty may long possess the true reward of a great and generous mind, in beholding the blessings derived under his royal auspices, and in receiving the just tribute of the most zealous duty and attachment from his loyal and affectionate people."

The address passed without a division, with the exception of Mr. Parsons and Mr. Alexander Montgomery.

Ayes 109, Noes none.

MILITIA.

February 14. 1785.

ON this day the Right Honourable Mr. Luke Gardiner moved, "That the sum of 20,000*l.* be granted to His Majesty for the purpose of clothing the militia of this kingdom." The motion was seconded by Mr. Hayes. It was supported by Mr. Denis Daly, Sir Hercules Langrishe, Mr. Arthur Wolfe, Mr. Boyd, and the Attorney-general (Mr. Fitzgibbon); the latter expressed himself in severe terms with respect to the volunteers. Their character, he said, had, of late, been altered for the worse; they had admitted into their ranks a low description of men, and they had proceeded in a most unconstitutional manner, as was evident from

the summons and the publications they had lately put forth. The volunteers were warmly defended by Mr. Westby, Mr. Curran, Mr. Michael Smith, Mr. Hardy, and Sir Edward Newenham. They said, that in time of war they had defended their country, and had obtained her liberties; — in time of war there had been no militia, and therefore that species of force could not be required in time of peace. The motion conveyed a silent censure on the volunteers, and the necessity of such a measure was superseded by the volunteer associations, and the expence attending the proposed plan was very considerable. The volunteers paraded, kept guard, and did every duty of the military; they had been, and would always prove willing to assist, without adding additional expence to the country. The militia-law had expired, and to revive a bill so long dormant was a reflection on the illustrious body that had rendered such signal services to their country.

Mr. GRATTAN said, there did not appear to him any necessity for introducing the name of volunteer into the question. The volunteers had no right whatsoever to be displeased at the establishment of a militia; and if they had expressed displeasure, the dictate of armed men ought to be disregarded by Parliament.

The right honourable member had introduced the resolution upon the most constitutional ground. To establish a militia — he could not see how that affected the volunteers; and it would be a hard case, indeed, if members of parliament should be afraid to urge such measures as they deemed proper, for fear of giving offence to the volunteers. The situation of the House would be truly unfortunate if the name of the volunteers could intimidate it. I am ready to allow that the great and honourable body of men — the primitive volunteers, deserved much of their country; but I am free to say, that they who now assume the name have much degenerated. It is said that they rescued the constitution, that they forced Parliament to assert its rights, and therefore Parliament should surrender the constitution into their hands. But it is a mistake to say they forced Parliament: they stood at the back of Parliament, and supported its authority; and when they thus acted with Parliament, they acted to their own glory; but when they attempted to dictate, they became nothing. When Parliament repelled the mandate of the convention, they went back, and they acted with propriety; and it will ever happen so when Parliament has spirit to assert its own authority.

Gentlemen are mistaken if they imagine that the volunteers are the same as they formerly were, when they committed themselves in support of the state, and the exclusive authority

of the Parliament of Ireland, at the Dungannon meeting. The resolutions published of late hold forth a very different language.

Gentlemen talk of ingratitude. I cannot see how voting a militia for the defence of the country is ingratitude to the volunteers. The House has been very far from ungrateful to them. While they acted with Parliament, Parliament thanked and applauded them; but in attempting to act against Parliament, they lost their consequence. Ungrateful! Where is the instance? It cannot be meant, that because the House rejected the mandate which vile incendiaries had urged the convention to issue; because, when such a wound was threatened to the constitution, the House declared that it was necessary to maintain the authority of Parliament, that therefore the House was ungrateful!

At this side of the House, it was not meant to introduce the volunteers at all, but the gentlemen on the other side challenge us to go into the question, and tell us that it is not safe to refuse thanks to armed men: but if they persist in their folly, I will tell them, that we are the legislature, and they are the subject; and a high-mettled Parliament, which feared not to oppose all the power of England, will not be terrified by these men, who are not the original volunteers.

It is somewhat astonishing, after we have restored the constitution, and while we are establishing commerce on the most permanent foundation, we should be told that we must not have a militia in the country, for fear of inflaming the anger of the volunteers. I have no idea of inflaming them. But there is a cankered part of the dregs of the people that has been armed. Let no gentleman give such men countenance, or pretend to join them with the original volunteers. The great original volunteers have diminished, and their name is now assumed by people who every day utter doctrines not conformable to the laws of the land; and as I was one of the first to encourage and bestow praise upon the original volunteers, so will I be the first to oppose the men who would disgrace the name.

After great exertion, every body requires relaxation; a body of armed citizens more than any other: and when the war was finished, when the rights of their country had been established, the greatest friend of the volunteers could only have wished to see them retire in glory, and hang up their arms in the temple of liberty. A great majority of them did so. The men who now assume the name, and no longer retain the principle, of the volunteers, must not be suffered to dictate: no parliament ever will submit to the despotism of

a minister, if it is not afraid of the people: at present, I am not disposed to fear either. The real volunteers are too wise, too loyal to injure the constitution of their country, and the Parliament and the present Government may stand upon their character.

The question being put upon Mr. Gardiner's resolution for 20,000*l.* to embody a militia, there appeared, Ayes 139, Noes 63; Majority 76.

COMMERCIAL PROPOSITIONS.

February 28, 1785.

ON this day the Chancellor of the Exchequer (Mr. Foster) presented a bill, granting certain additional duties to His Majesty. Mr. Corry stated, that he conceived the new duties were in consequence of the new propositions for trade, and as it was possible they might not be agreed to by the Parliament of Great Britain, the new taxes should not be yet proceeded on: the resolution and vote of 140,000*l.* was on the supposition that the propositions would be agreed to. Mr. Flood said, he would not be sorry if the propositions did not pass in England, as the country would get rid of a system, unequal to the purposes for which it was introduced, and get rid also of the new taxes. The minister called on the Parliament to raise 140,000*l.* new taxes, for the purpose of handing over the surplus of the hereditary revenue to Great Britain. This led him to believe the propositions would be agreed to by Great Britain. The Attorney-general (Fitzgibbon) said, he did not suppose the adjustment to which the Irish Parliament had agreed, would be rejected by Great Britain; if so, that would lay a just foundation of jealousy and complaint: he said he was never forward to commit the House, neither should he be the first to recede: he wished well to the empire, but Ireland was the object of his preference.

Mr. GRATTAN rose, and said, Sir, I will not sit silent at so critical a period. I voted for the resolutions for a final adjustment. I adhere to them now. I conceived them then, as I do now, that, with regard to both countries, they were just. I thought that the minister, wishing to do justice to Ireland, could not offer less; willing to do justice to England, could not offer more. It was an adjustment which he might offer to either country, and though not certain to give immediate satisfaction to all ranks of men in both, yet it essentially promised, and united their common

interest, and laid the foundation of general harmony. The minister acted like a man who was not afraid to encounter the prejudices of an hour, in the establishment of fame for an eternity. He seemed to assert parental duty, and as he bore the name, to revive the virtue of his father.

I shall not sit down without a few observations on the tenth and eleventh propositions. By the proposition, in its first shape, we might have borrowed money to support the expences of Ireland, and at the same time aliened money to support England; that is, we might have done what we had no right to do; we had no right, in the payment of expence, to postpone Ireland, and give a preference to the navy of the empire. The representatives of Ireland cannot (and no law can be valid that says otherwise) provide for England, until they have first taken care of Ireland, — *it is Irish money*, and they are Irish men; Ireland has a natural and unalienable right to priority in the application of her own money.

Another very strong objection is, that in the original motion, as the money is applicable to the navy of the empire, whenever the hereditary revenue exceeds 650,000*l.*, a financier might procure that excess whenever he pleased; for he might so tamper with the additional duties as to create an artificial swell in the hereditary revenue for England, while he sunk the additional duties for Ireland; that is, he might sink the general fund while he raised the hereditary revenue. The power to do so would be a perpetual temptation to the worst sort of tricks, of which I am far from suspecting the present ministry, or of suspecting ministers in general.

An objection has been made to this, as contrary to good policy, to increase taxes in order to procure a surplus; but the objection is founded on an ignorance of the resolution, which does not give the surplus to the navy of England, where there shall be an excess of revenue over and above the expence of Ireland, but over and above the particular point in the hereditary revenue, namely 650,000*l.*, so that there are two restrictions, first, that you shall not pay England a sum of money when the minister produces a home deficiency. Second, that you shall not pay England the increase when there is not a redundancy. An abundance of taxes would probably sink the hereditary revenue below the mark of 650,000*l.*, so that you create another provision before you grant to the general aid — the provision of trade as well as redundancy; but you should afford a temptation to a redundancy of taxes, by disposing of the surplus of the revenue.

An objection has been made to this resolution, as forcing this country into many new taxes: the question is not between

new taxes and no taxes, but between new taxes and an accumulation of debt; for the revenue wanted 140,000*l.*, to equalize it to the national expenditure; the difference is then between running in debt and new taxes to found a new accumulation, that is, between the best and the worst.

I confess I had some anxiety on this subject, but in communicating with the gentlemen in administration, and imparting my objections to them, they satisfied every scruple; and it is but just to say, that I found amongst them a degree of candour, integrity, and honest patriotism, extremely to their honour.

I collect the sense of the House, in which I do entirely coincide, to be a determination to adhere to their own resolutions with the utmost firmness, but with the utmost moderation, having an entire reliance on the justice of the English nation, and of the English minister.

The Chancellor of the Exchequer then presented several money bills, which were read a first time.

June 13. 1785.

MR. ORDE PROPOSES AN ADJOURNMENT.

MR. ORDE moved, "That the House at its rising do adjourn to that day fortnight."

Mr. Forbes moved as an amendment, "That the House be called over on Thursday fortnight, and that the Speaker do write circular letters to the members, ordering them to attend on that day, as they tender the constitutional and commercial rights of Ireland."

The Chancellor of the Exchequer (Foster) said, that matters of great consequence were to be arranged, but that he did not think it right to alarm the country, by insinuating that any thing injurious to their rights would be attempted.

Mr. Forbes said, that the twenty resolutions published in the English votes of the House of Commons had raised an alarm respecting the constitution of the country. The motion was founded on no less a precedent than that adopted preparatory to the meeting of the 16th of April 1782, from whence Ireland dated her emancipation; and the present question affected her independent legislature.

The amendment was opposed by the Attorney-general, Mr. Mason, General Luttrell, and the Secretary of State (J. H. Hutchinson).

It was supported by Mr. Corry, Mr. Browne, and

Mr. GRATTAN, who said, Sir, I am for the adjournment. I concur in this motion, because I think it absolutely neces-

sary to give time, that the understanding of every man in the nation may be satisfied and convinced on the subject of the commercial arrangement, before it comes to investigation. My right honourable friend has been pleased to say, that he made no doubt that the system would be speedily carried into execution. I know, if it depended on the honour and integrity of the present government, or upon the zeal and ability of the right honourable gentleman, a system advantageous to both nations would be carried into execution: but I see no grounds at present to expect such an event; for if we look to the British resolutions, they do not offer it; and, therefore, nothing can be more vague than carrying such a system, without taking the opinion of every man; and hearing at your bar every witness that offers you information; for, as it includes every man in Ireland, and his posterity for ever, it is just that every man should approve of it, upon full conviction of its utility, otherwise Ireland is not a consenting party to the treaty. I do, therefore, deprecate any ministerial interposition to press the system forward; indeed, I have so good an opinion of ministers, that I think they will not interpose, because in that case it would be only a treaty between one minister and another; but in order to bind the fate of the nation, it ought to be left to the voice of the nation.

I again declare that I have great confidence in the honour and integrity of the present ministers; and as to the nobleman who is at the helm of this kingdom, I am convinced that noble personage is incapable of harbouring any design against the liberty of this country: and if ever exceptionable propositions are brought into this House, it will be because they are not properly explained to His Excellency; he can have no view in his government of Ireland but renown; a noble ambition to manifest his hereditary honesty, and to preserve the heroism of his name, as well as to illustrate the honour of his nature.

Having said so much, I shall add one word more: I have read the twenty resolutions of the British House of Commons, for a final adjustment of a commercial system. A question has arisen, whether they invade the legislative authority of the Parliament of Ireland. I say they are subversive of the rights of Ireland. When the settlement of 1782 took place, I conceived that no constitutional question would arise that could interrupt the harmony of the two nations; upon that ground I did impose a silence upon myself respecting commercial questions, because I thought it my duty to cherish the harmony which subsisted; the same faith that I prescribed to myself, I will exact from others: and now, since constitu-

tional questions are revived, I shall not be wanting; but whenever the twenty resolutions come before this House, I shall give them battle, and Ireland shall be the judge.

I thank the right honourable gentleman (Mr. Orde) for the many compliments he has been pleased to pay me, and I doubt not but he thinks as he speaks. As to giving satisfaction on the subject we have been speaking of, he was not here when the question of Ireland's rights was agitated, or he would have known how extremely alive the people are to whatever concerns the independent supremacy of their legislature; how electrified they are at any thing that looks like explaining it away: if he had, he would have seen the madness and vanity of attempting to carry in Ireland such resolutions as those which have passed the British House of Commons, and that any thing which looks like explanation in such a case, is but an aggravation.

I should have been very wrong, if in this business I had not spoken from authority; but I speak from the authority of the journals of parliament, and I say that the resolutions of the English House of Commons are subversive of the constitution of Ireland. If independence be part of our constitution, and if ever the time comes that I must battle with them, I will oppose them with the last nerve of my strength, and with the last breath of my life.

The House divided; for the amendment, Ayes 35, Noes 88; Majority against the amendment, 53.

Tellers for the Ayes, Mr. Forbes and Mr. Corry.
for the Noes, Mr. Mason and Mr. Molyneux.

The original motion was then put and carried.

August 2. 1785.

MR. ORDE PROPOSES AN ADJOURNMENT.

THIS day the House met pursuant to adjournment, when Mr. Orde moved, "That the House do, at its rising, adjourn to Thursday se'nnight." Mr. Connolly said, he had voted for the new taxes in the confidence, that the resolutions that had passed this House would have passed in Great Britain; this confidence was now lost. He had investigated the twenty English resolutions, and was afraid that the Irish propositions would turn out to be English impositions. Mr. Denis Browne seemed to think the arrangement almost impracticable. "This arrangement, Sir," (he exclaimed,) "has suggested in the other country an idea that I am almost afraid to mention to this House, — a Union! good God! Sir, what union could we have with Great Britain but an union of debt and taxation: a-

union depriving us of liberty, and ruinous to our country!" Mr. Flood declared, that the fourth resolution of the British Parliament was an attack on the independence of Ireland. The Parliament of Great Britain had debated the business for five months, and yet the ministers of the two countries could not understand each other. He would, therefore, move the following resolution: "That we will maintain undiminished the free and full exercise, at all times, of the sole and exclusive authority of the Irish legislature to legislate for Ireland, commercially and externally as well as internally."

This was supported by Mr. Michael Smyth and Major Doyle.

Mr. GRATTAN said,

I shall trouble the House with one word upon the adjournment; not that I think any negociation can alter the nature and tendency of the British resolutions, so as to make it possible for them to appear in this House; but I think it fair to give the minister the longest time to bring the country out of the difficulties in which it is involved. As to the constitution, it is not subvertible; it cannot be bartered; therefore we have nothing to apprehend from waiting the time required.

In the year 1782, I wished to move the address on an original measure of Government, I requested the approbation of the Duke of Portland, but was refused. I was told that His Grace, with very good intentions to the liberty of Ireland, could not be responsible, or pledge England to that address. I moved, therefore, as of myself in this House, and, indeed, the minister backed it with his utmost power; it was a demand, from an jota of which the Parliament of Ireland never receded. The Duke of Portland, it has been said, pledged Great Britain to the Irish constitution, as the present ministry did to the eleven propositions; but it was not so. The eleven propositions were not the demand of the country, but the offer of the minister. The constitution was the demand of the nation, backed by the lives and fortunes of Parliament and the people. Mr. Fitzpatrick was charged with having pledged England to the address of 1782; it was not so: the case was as I have stated it.

I do not mean to say, that the right honourable gentleman (Mr. Orde) had pledged the British nation to the first proposition; but I say, the ministers were pledged, and in a very particular way, by 140,000*l.* in new taxes. I have no idea of their taking such a sum, and holding such language in a House of Parliament, as we have heard, without any thing pledged. I say that the system is subversive of the rights of Ireland; and I say this upon the authority of the English

resolutions. Gentlemen may say, I cannot know what will be brought forward. I have no doubt of the honourable intentions of the Irish Government; but I speak of the resolutions passed in England, and these, I say, are subversive of the liberties of Ireland. Every man knows, that the first principle of the English constitution, is the power of making laws to bind ourselves; but if others are to make laws to bind us, we are slaves, even though our own Parliament registers those laws! I say again, I have no doubt of the integrity of our Government; and I believe the method they will take in this important business will be honourable to them: but I know, that it can never be a system without the concurrence of both nations. It is in vain, that England acknowledges our independence, while she desires to make laws for us: it is just as if a man was to say to his friend, "Sir, I have a clear title to your estate, therefore make it over to me." The question is not, whether we are free, but, whether we will continue so. A gentleman has said, the tenth resolution, as altered in this House, was never noticed in England. He is mistaken as to the fact: it was very much argued, and being thought too much in favour of Ireland, was restored to its original form, in which it now stands. As to parties in England, we are not to consider parties. Ireland is a substantive, and can stand alone. Though what has been imputed to party may be well defended: they respected English commerce, but they regarded the constitution of both countries. I can overlook their partiality to the commerce of their own country; perhaps I may also feel the same partiality for the commerce of mine."

Mr. Orde's motion of adjournment to Thursday se'nnight was carried without a division.

Aug. 11. 1785.

MR. FLOOD MOVES HIS RESOLUTION REGARDING THE PROPOSITIONS.

THIS day the House met, pursuant to adjournment, when Mr. Flood rose to propose to the House the resolution he had submitted at their last meeting, viz. "That we will maintain, undiminished the free and full exercise, at all times, of the sole and exclusive authority of the Irish Parliament to legislate for Ireland, commercially and externally as well as internally." He said this was rendered necessary in consequence of the British Parliament having declared, as a fundamental condition, that all the laws of

England now made, or hereafter to be made for the regulation of commerce, shall be adopted in Ireland. I opposed this business in its origin. I had then the honour to be in the minority: I now see the two gentlemen who were with me on that occasion. I told them that they would one day glory in being in that minority: I am sure they do so now; and I am sure there is not a man who hears me, who does not wish it had been a majority. The freedom of our constitution is necessary to support the freedom of our trade. Liberty is the nurse of commerce, and I will not give up an atom of it: I say, you have no right to give it up. But if a Parliament could be so profligate, so base as to attempt it, (Here the Attorney-general (Fitzgibbon) cried, Hear him! hear him!) I ask you, may it not be attempted? But I will raise my voice, and will be heard at the extremities of the land! My head and my heart are independent; my fortune is independent of the prince and of the people; and that man shall not descend to the grave in peace who would destroy the freedom of my country! I am content to be a fellow-subject with my countrymen, but I will not be their fellow slave!

Mr. Conolly, Mr. Curran, Mr. Laurence Parsons, and Mr. Kearney, stated their objections to the mode of proceeding; and their hope, that the several hundred printed copies of the bill brought into the English House, had been distributed among the Irish members to little purpose.

Mr. GRATTAN said, The resolutions of the Irish Parliament and their address were transmitted to His Majesty; and afterwards, by his order, laid before the Parliament of Great Britain: that Parliament took them into consideration, and totally, fundamentally, and radically departed from them. A bill was then brought into the English Parliament, founded on twenty resolutions which it had passed, not indeed agreeing exactly with the twenty resolutions, but conformable to their general spirit, and with some addition. What this bill will be, when complete, we cannot say: we have only the authority of the mover as to his intention. But what we should now do is, to address the throne, to lay before us the twenty resolutions, that the sense of the Irish Parliament may be taken on them; for we cannot bring in a bill, if we do not assent to the principle of these resolutions.

Now, what the reason is, that these twenty resolutions have not been laid before us, or why a bill is proposed in the first instance, I cannot see; for it is certain, if the sense of this House was taken, it would be found diametrically opposite to the sense of the English Parliament. The two nations differ; and that is the plain state of the fact. Ireland sent over eleven resolutions; England returned twenty, directly shaking our legislative independence.

The right hon. secretary has said, he will state what he hopes will prove satisfactory to the nation. Now, let me suppose that what he states is consonant to the eleven propositions of Ireland, and directly opposite to the twenty resolutions of England. If he does so, the House will say he has done very handsomely by this country; but it would be nugatory to send over a bill founded on these principles: such a bill could never pass under the great seal, in opposition to what England has declared a fundamental principle.

It is, however, proper to give the right hon. gentleman an opportunity of declaring his consistency, and showing how properly he has acted: but if he asks leave to bring in a bill, he takes from you the opportunity of discussing that bill, and bespeaks your assent to resolutions which, if put *totidem verbis*, would be unanimously rejected.

I think that very great praise is due to the right hon. gentleman (Mr. Orde) for the zeal with which he has laboured to procure something for the advantage of both countries; and I think the House should hear what he has to state, but should not let him move any thing, because silence in such a case is admission; and to suffer any thing to be moved, without first declaring our sense of the British resolutions, would be to admit their principle. Let the House, therefore, as soon as it shall have heard the right hon. secretary, come to an address, stating the constitution of this country; and let the address be as reconciling as possible, but let it be an address of assertion; for it is not the fourth only of the British resolutions which trenches upon the independence of Ireland; there are others, particularly those which go to establish the same revenue laws in Ireland which England has, or shall pass. I say, therefore, the House of Commons should not negociate; but let us, in general terms, assure His Majesty of our loyalty and grateful sense of his paternal attention, and also of our determination to keep the constitution inviolate, and not involve it in the commercial treaty. Let us meet the fourth proposition in terms, and let us in terms meet the other exceptionable parts. Let us keep our constitution out of the treaty; for constitution is the great spring to commerce, and nurse of trade; and if we give that up, we lose our power as a parliament, and most deservedly lose the profits of trade.

We should also say, that the commercial arrangement is not a subject of sufficient importance to commit two nations upon. I know it was intended originally rather as a matter of settlement than commerce, and therefore to persist now to sacrifice every thing to it, is folly: it is laughable to sup-

pose that the right hon. secretary can possibly produce any system that will now be acceptable to the two nations. Great Britain has already spoken by her Parliament, and Ireland has done the same. The British minister and the British Parliament speak in the fourth resolution; they offer you the shadow of the British market, provided you give up the substance of the Irish constitution; they offer you trade, provided you give them the government of that trade. To whom are you to give it? to your rivals. The whole hangs on this: we are to covenant that we will adopt their laws, that is, we give them up the living security of our parliament, and take the indefinite security of reciprocal advantage and equal benefit. It is impossible to say what would be equal benefit. England has great incumbrance, but she has great ability to discharge that incumbrance. Ireland is exactly in the reverse situation; she has small incumbrance, but then her means are small, so that what might be deemed by Britain equality, might prove very great inequality.

I did not mean to go so far when I got up. I would wish to accommodate the minister; but there are times when we should prefer the happiness of our country to punctilio. Gentlemen have been harrassed with coming up to numberless attendances; and it is now time that they should know whether they are to return to their respective shires, — freemen or not.

Mr. Orde having assured Mr. Flood that he intended to move the propositions the ensuing day, Mr. Flood withdrew his resolution.

MR. ORDE MOVES THE COMMERCIAL PROPOSITIONS.

August 12. 1785.

ON this day, Mr. Orde brought forward the commercial propositions. He stated; that, although the eleven propositions had been agreed to by the Parliament of Ireland, it did not follow that the House stood pledged to them; they were the groundwork on which a superstructure was to be raised; their object was to form a scale of equal benefits, with an equal construction of the navigation laws, and to admit Ireland to every benefit that England enjoys. These concessions were disadvantageous to Great Britain, and a return was naturally expected; that return was a portion of revenue. Conditions, it was true, had been proposed, that were inconsistent with the constitution, but in the present arrangement none such exist. That this is the case, I shall read from the bill certain clauses:

[Here Mr. Orde read the following clause:]

"And whereas no law made by the present Parliament can or ought to limit or restrain the free and unquestioned exercise of the discretion of any succeeding parliaments, who must be competent equally, as is the present, to every act of legislation whatever, and to deliberate upon, enact, or decline to enact, any of the regulations or provisions to be considered as essential and fundamental conditions of this settlement."

Mr. Orde then read some other clauses from the bill intended to be proposed; and concluded by moving, "That leave be given to bring in a bill for effectuating the intercourse and commerce between Great Britain and Ireland on permanent and equitable principles, for the mutual benefit of both kingdoms."

The motion was seconded by the Chancellor of the Exchequer (Mr. Foster.) It was supported by Sir Nicholas Lawless, Mr. Mason, Mr. Gardiner, Mr. W. B. Ponsonby, Mr. Marcus Beresford, Mr. W. Wellesley Pole, Mr. W. B. Conyngham, Colonel Gore, Sir Lucius O'Brien, and the Attorney-general: he stated, that the country was not affected by this measure in point of constitution; any more than it had been by the act of 1779; the principle was admitted then, and was the same that is now acted on, and it was but fair that if Ireland got the trade, she should regulate that trade by those laws which formed the strength of the empire.

The motion was opposed by Mr. Forbes, Mr. Brownlow, Mr. Hardy, Mr. Curran, Mr. Flood, Major Doyle, Mr. Browne (of the college,) Mr. Michael Smith, Mr. Corry, Mr. Hartley, Mr. Conolly, and Mr. Ogilvie.

Mr. Flood maintained, that the British colony-trade was adjusted in 1780: Ireland, therefore, was entitled to participate in every advantage of the colony-trade. Until the 15th of Charles the Second, Ireland could import and export from the British colonies as freely as England; and it was absurd to say, that the freedom which Ireland possessed until the time of Charles the Second was intended to be withheld in 1780; that which America possessed to the time of her separation, and that which New Brunswick possesses at this moment! That, by the 2nd, 3rd, and 4th of the original propositions, which had now increased to twenty, there was, either expressly or impliedly, a renunciation of every advantage and principle obtained in the late era of five years,—one in which Ireland glories more than in any other period of her existence. By this arrangement, Ireland was to make a perpetual grant to the British navy, which Great Britain had not done, and which no free country ought to make to an armament under the command of the Crown. Above 100 years ago, in the fever of the Restoration, and infatuation of the moment, this country had made a perpetual grant to support an Irish marine. England would not allow it to be applied, but turned it to the support of an overgrown land army, that was a burden to Ireland. "What nation (exclaimed Mr. Flood) would not protect Ireland, without

tribute, to whom Ireland were to give what she gives to Great Britain? She gives her the nomination of her monarch, and therein of her whole administration throughout every department; a third estate in her legislature, the creation of her peerage, the influence over placemen and pensioners in the House of Commons; she gives her a mighty army, the use of near a million and a half of yearly revenue; five millions a-year in imports and exports; above a million a-year in absentee expenditure, which, at the grievous issue of one million a-year from Ireland, carries above 200,000*l.* a-year in taxes into the British exchequer; she gives her the use of three millions of people in peace and war, and of seventeen millions of English acres, in a happy climate and a happy soil, and so situated, as to be the best friend, or the worst enemy in the world to Great Britain! What, then, must we not feel at Ireland being brought for a moment to entertain this idea, and this too but three years after her national independence! That such a tribute should have been the virgin-fancy of independent Ireland, must have been astonishing!" Mr. Flood then went at length through the Irish and English propositions, which he described as injurious to the commerce of Ireland, and fatal to her constitution.

Mr. Corry stated that, when Lord Camden had been asked his opinion, whether the fourth resolution invaded the independency of Ireland, he replied, that were he pressed for seven years he would not give an answer to the question.

Mr. GRATTAN spoke as follows:

Mr. Speaker — Sir, I can excuse the right honourable member who moves for leave to bring in the bill. He is an Englishman, and contends for the power of his country, while I am contending for the liberty of mine; he might have spared himself the trouble of stating his own bill. I read it before; I read it in the twenty resolutions; I read it in the English bill, which is to all intents and purposes the same; and which he might read without the trouble of resorting to his own. His comment is of little moment; a lord-lieutenant's secretary is an unsafe commentator on an Irish constitution; the former merit of the right honourable gentleman, in pressing for the original propositions and contending against the present, which he now supports, may have been very great, and I am willing to thank him for his past services; they may be a private consolation to himself. No more. I differ from him in his account of this transaction. He was pledged to his eleven propositions; his offer was the propositions; ours the taxes: he took the latter, but forgets the former. I leave both, and come to his system. Here it becomes necessary to go back a little. I begin with your free trade obtained in 1779: By that you recovered your

right to trade with every part of the world, whose ports were open to you, subject to your own unstipulated duties, the British plantations only excepted; by that you obtained the benefit of your insular situation, the benefit of your western situation, and the benefit of your exemption from intolerable taxes. What these advantages might be, no man could say; but any man who had seen the struggle you had made during a century of depression, could foresee, that a spirit of industry, operating upon a state of liberty in a young nation, must, in the course of time, produce signal advantages. The sea is like the earth, to non-exertion a waste,—to industry a mine. This trade was accompanied with another, a plantation trade: in this, you retained your right to trade directly with the British plantations in each and every other article, subject to the rate of British duty; by this, you obtained a right to select the article, so that the general trade should not hang on the special conformity; and by this, you did not covenant to affect, exclude, or postpone the produce of foreign plantations. The reason was obvious; you demanded two things, a free trade and a plantation trade: had the then minister insisted on a covenant to exclude the produce of foreign plantations, he had given you a plantation trade instead of a free trade, (whereas your demand was both) and his grant had been inadequate, unsatisfactory, and inadmissible.

These points of trade being settled, a third, in the opinion of some, remained; namely, the intercourse with England or the channel trade. A successful political campaign, an unsuccessful harvest, the poverty of not a few, together with the example of England, brought forward, in the year 1783, a number of famishing manufacturers with a demand of protecting duties; the extent of their demand was idle, the manner of conveying that demand tumultuary; but not being wholly resisted, nor yet adequately assisted, they laid the foundation of another plan, which made its appearance in 1785, opposite, indeed, to their wishes, and fatal to their expectation: this was the system of reciprocity; a system fair in its principle, and in process of time likely to be beneficial, but not likely to be of any great present advantage, other than by stopping the growth of demand, allaying a commercial fever, and producing settlement and incorporation with the people of England. This system was founded on the only principle which could obtain between two independent nations,—equality,—and the equality consisted in similarity of duty: now, as the total abatement of duties on both sides had driven the Irishman out of his own market, as the raising our duties to the British standard had driven the Englishman out of the Irish market,

a third method was resorted to, the abatement of British duty to the Irish standard: but then this equality of duty was inequality of trade; for, as the Englishman, with that duty against him, had beaten you in the Irish market, with that duty in his favour, he must keep you out of the English: so that under this arrangement the English manufacturer continued protected, and the Irish manufacturer continued exposed; and the abatement of duty was no more than disarming the argument of retaliation. Had the arrangement stopped here, it had been unjust indeed; but as Ireland was to covenant that she would not raise her duties on British manufactures, England on her part, was to covenant, that she would not diminish her preference in favour of Irish linen; and the adjustment amounted to a covenant, that neither country in their respective markets would affect the manufacture of the other by any operative alteration of duty; however, the adjustment did not stop at the home-manufacture, it went to plantation produce; and here you stood on two grounds, law and justice; law, because you only desired that the same words of the same act of navigation should have the same construction on one side the channel as they have on the other: how they had ever borne a different one, I cannot conceive, otherwise than by supposing that in your ancient state of dependency you were not entitled to the common benefit of the mother-tongue: the answer to this argument was unsatisfactory, that England that altered the law; but if England had so altered the law, it ceased to impose the same restrictions and confer the same advantages; and then a doubt might arise whether the act of navigation was the law of Ireland? So that you seemed entitled to the construction, or free from the act: now it is of more consequence to England that you should be bound by the act of navigation, than to Ireland to have the benefit of the fair construction of it. But you stood on still better ground,—justice. Was it just that you should receive plantation goods from England, and that England should not receive them from you? Here if you do not find the law equal, you may make it so; for as yet you are a free parliament.

I leave this part of the subject, equality of duty, but no present equality of trade. I come to that part of the adjustment which is inequality of both; and first, that part which relates to the primum of your manufactures. When the original propositions were argued, gentlemen exclaimed, "England reserves her wool, and Ireland does not reserve her woollen yarn;" it was answered, "Ireland may, if she pleases." What will those gentlemen now say, when Eng-

land reserves both; the primum of her manufactures, and of yours; and not only woollen yarn, but linen yarn, hides, &c.? To tell me that this exportation is beneficial to Ireland, is to tell me nothing; the question is not about stopping the export, but giving up the regulation, in instances where England retains the power of regulation, and the act of prohibition. To tell me, that this exportation is necessary for England, is to tell me nothing, but that you are material to England, and, therefore, should have obtained at least equal terms. I own, to assist the manufactures of Great Britain as far as is not absolutely inconsistent with those of Ireland, is to me an object: but still the difference recurs; she is not content with voluntary accommodation on your part, but exacts perpetual export from you in the very article in which she retains absolute prohibition; every prohibition beneficial to England was laid before — none in favour of Ireland. Ireland, till 1779, was a province, and every province is a victim: your provincial state ceased; but before the provincial regulations are done away, this arrangement establishes a principle of *uti possidetis*, that is, Great Britain shall retain all her advantages, and Ireland shall retain all her disadvantages.

But I leave this part of the adjustment where reciprocity is disclaimed in the outset of treaty and the rudiment of manufacture; I come to instances of more striking inequality, and first, your situation in the East. You are to give a monopoly to the present or any future East India Company during its existence, and to the British nation for ever after. It has been said, that the Irishman in this is in the same situation as the Englishman; but there is this difference, the difference between having and not having the trade. The British Parliament has judged it most expedient for Great Britain to carry on her trade to the East by an exclusive company; the Irish Parliament is now to determine it most expedient for Ireland to have no trade at all in these parts. This is not a surrender of the political rights of the constitution, but of the natural rights of man; not of the privileges of Parliament, but of the rights of nations, —not to sail beyond the Cape of Good Hope and the Straits of Magellan, an awful interdict! Not only European settlements, but neutral countries excluded, and God's providence shut out in the most opulent boundaries of creation! Other interdicts go to particular places for local reasons, because they belong to certain European states; but here are neutral regions forbidden, and a path prescribed to the Irishman on open sea! Other interdicts go to a determinate period of time, but here is an eternity of restraint. You are to have no trade at all during the

existence of any company, and no free trade to those countries after its expiration. This resembles rather a judgment of God than an act of the legislature, whether you measure it by immensity of space or infinity of duration, and has nothing human about it except its presumption!

What you lose by this surrender, what you forfeit by giving up the possibility of intercourse with so great a proportion of the inhabited globe, I cannot presume to say; but this I can say, that gentlemen have no right to argue from present want of capital against future trade, nor to give up their capacity to trade, because they have not yet brought that capacity into action, still less, have they a right to do so without the shadow of compensation, and least of all, on the affected compensation which, trifling with your understanding as well as interest, suffers a vessel to go to the West in its way to the East. I leave this uncompensated surrender — I leave your situation in the East, which is a blank — I leave your situation in the East, which is the surrender of trade itself; and I come to your situation in the West, which is a surrender of its freedom. You are to give a monopoly to the British plantations at their own taxes; before, you did so only in certain articles, with a power of selection, and then only as long as you pleased to conform to the condition, and without any stipulation to exclude foreign produce. It may be very proper to exclude foreign produce by your own temporary laws, and at your own free-will and option, but now you are to covenant to do so for ever, and you give to the English, West as well East, an eternal monopoly for their plantation produce, in the taxing and regulating of which you have no sort of deliberation or interference, and over which Great Britain has a complete supremacy. Here you will consider the advantage you receive from that monopoly, and judge how far it may be expedient to set up against yourselves that monopoly for ever. There is scarcely an article of the British plantation that is not out of all proportion dearer than the same article is in any other part of the globe, nor any other article that is not produced elsewhere, for some of which articles you might establish a mart for your manufactures. Portugal, for instance, capable of being a better market for our drapery than Great Britain: this enormity of price is aggravated by an enormity of tax. What then is this covenant? to take these articles from the British plantations, and from none other, at the present high rates and taxes, and to take them at all times to come, subject to whatever further rates and taxes the Parliament of Great Britain shall enact. Let me ask you, why did you refuse protecting duties to your own people? because

they looked like a monopoly. And will you give to the East-India merchant, and the West-India planter, something more? a monopoly, where the monopolist is in some degree the law-giver. The principle of equal duty or the same restriction is not the shadow of security; to make such a principle applicable, the objects must be equal; but here the objects are not only dissimilar, but opposite. The condition of England is great debt and greater capital, great incumbrance, but still greater abilities: the condition of Ireland, little capital, but a small debt; poverty, but exemption from intolerable taxes. Equal burdens will have opposite effects; they will fund the debt of one country and destroy the trade of the other: high duties will take away your resource, which is exemption from them; but will be a fund for Great Britain. Thus the colony-principle in its extent is dangerous to a very great degree. Suppose Great Britain should raise her colony-duties to a still greater degree, to answer the exigency of some future war, or to fund her present debt, you must follow; for by this bill you would have no option in foreign trade; you must follow, not because you wanted the tax, but lest your exemption from taxes should give your manufactures any comparative advantage. Irish taxes are to be precautions against the prosperity of Irish manufactures! You must follow, because your taxes here would be no longer measured by the wants of the country, or the interest of her commerce, because we should have instituted a false measure of taxation; the wants and the riches of another country, which exceeds you much in wants, but infinitely more in riches. I fear we should have done more; we should have made English jealousy the barometer of Irish taxes. Suppose this country should in any degree establish a direct trade with the British plantations; suppose the apprehensions of the British manufacturers in any degree realized, they may dictate your duties, they may petition the British Parliament to raise certain duties, which shall not affect the articles of their intercourse, but may stop yours; or, which shall affect the articles of their intercourse a little and annihilate yours; thus they may, by one and the same duty, raise a revenue in England, and destroy a rival in Ireland. Camblets are an instance of the former, and every valuable plantation import an instance of the latter; your option in foreign trade had been a restraint on England, or a resource to Ireland; but under this adjustment you give up your foreign trade, and confine yourself to that which you must not presume to regulate. The exclusion of foreign plantation produce would seem sufficient, for every purpose of power and domination, but to aggravate, and it would seem, to insult, the independent States of North America, are most ungraciously

brought into this arrangement, as if Ireland was a British colony, or North America continued a part of the British dominion: by the resolutions, almost all the produce of North America was to be imported to Ireland, subject to British duties; the bill is more moderate, and only enumerates certain articles. But what right has Great Britain to interfere in our foreign trade, — what right has she to dictate to us on the subject of North-American trade? How far this country may be further affected by clogging her plantation trade and surrendering her free trade, I shall not for the present stop more minutely to enquire; but I must stop to protest against one circumstance in this arrangement, which should not accompany any arrangement which would be fatal to settlement itself, and tear asunder the bands of faith and affection; the circumstance I mean, is the opening of the settlements of the colony trade, and free trade of 1779: this adjustment takes from you the power of choosing the article, so that the whole covenant hangs on the special circumstance, and takes from you your option in the produce of foreign plantations, and even of America. It is a revision in peace of the settlements of war, — it is a revocation in peace of the acquisition of war. I here ask by what authority? by what authority is Ireland obliged now to enter into a general account for past acquisitions? Did the petition of the manufacturers desire it? Did the addresses of the last session desire it? Did the minister in this session suggest it? No; I call for authority, whereby we can be justified in waving the benefit of past treaties, and bringing the whole relative situation of this country into question in an arrangement, which only professes to settle her channel trade? I conceive the settlements of the last war are sacred; you may make other settlements with the British nation, but you will never make any so beneficial as these are; they were the result of a conjuncture miraculously formed, and fortunately seized. The American war was the Irish harvest. From that period, as from the lucky moment of your fate, your commerce, constitution, and mind, took form and vigour; and to that period, and to a first and salient principle must they recur for life and renovation. It is therefore I consider those settlements as sacred, and from them I am naturally led to that part of the subject which relates to compensation, the payment which we are to make for the losses which we are to sustain: certainly compensation cannot apply to the free trade supposing it uninvaded, first, because that trade was your right; to pay for the recovery of what you should never have lost, had been to a great degree unjust and derogatory; secondly, because that free trade was established in 1779, and

the settlement then closed, and cannot be opened now; to do so were to destroy the faith of treaties, to make it idle to enter into the present settlement, and to render it vain to enter into any settlement with the British minister. The same may be said of the colony trade; that too was settled in 1779, on terms then specified, not now to be opened, clogged, conditioned, or circumscribed; still less does compensation apply to the free constitution of 1782. His Majesty then informed you from the throne, "these things come unaccompanied with any stipulation;" besides, the free constitution, like the free trade, was your right. Freemen won't pay for the recovery of right; payment had derogated from the claim of right; so we then stated to the ministry. It was then thought that to have annexed subsidy to constitution had been a barren experiment on public poverty, and had marred an illustrious experiment on the feelings of the nation, and had been neither satisfaction to Ireland, nor revenue to Great Britain. This bolder policy, this happy art, which saw how much may be got by tax, and how much must be left to honour, which made a bold push for the heart of the nation, and leaving her free to acquire, took a chance for her disposition to give, had its effect; for since that time until the present most unfortunate attempt, a great bulk of the community were on the side of Government, and the parliamentary constitution was a guarantee for public peace.

See then what you obtained without compensation, a colony trade, a free trade, the independency of your judges, the government of your army, the extension of the unconstitutional powers of your council, the restoration of the judicature of your lords, and the independency of your legislature!

See now, what you obtain by compensation, — a covenant not to trade beyond the Cape of Good Hope and the Straits of Magellan; a covenant not to take foreign plantation produce, but as the Parliament of Great Britain shall permit; a covenant not to take British plantation produce, but as Great Britain shall prescribe; a covenant to make such acts of navigation as Great Britain shall prescribe; a covenant never to protect your own manufactures, never to guard the primum of those manufactures! These things are accompanied, I do acknowledge, with a covenant, on the part of England, to disarm your argument for protecting duties, to give the English language, in the act of navigation, the same construction in Ireland, and to leave our linen markets without molestation or diminution. One should think some god presided over the liberties of this country, who made it frugality in the Irish nation to continue free, but has annexed the penal-

ties of fine and infamy to the surrender of the constitution! From this consideration of commerce, a question much more high, much more deep, — the invaluable question of constitution, arises, in which the idea of protecting duties, the idea of reciprocal duties, of countervailing duties, and all that detail vanish, and the energies of every heart, and the prudence of every head, are called upon to shield this nation, that, long depressed, and, at length, by domestic virtue and foreign misfortune emancipated, has now to defend her newly-acquired rights, and her justly-acquired reputation; the question is no less than that which three years ago agitated, fired, and exalted the Irish nation, — the independency of the Irish Parliament! By this bill we are to covenant, that the Parliament of Ireland shall subscribe whatever laws the Parliament of England shall prescribe, respecting your trade with the British plantations; your trade in the produce of foreign plantations, and part of your trade from the United States of North America. There is also a sweeping covenant or condition, whereby we are to agree to subscribe whatever laws the Parliament of England shall prescribe respecting navigation; the adjustment subjects also your reversionary trade to the East to the same terms; over all these objects you are to have no propounding, no deliberative, no negative, no legislative power whatsoever. Here then is an end of your free trade and your free constitution. I acquit the people of England; an ill-grounded jealousy for their trade seems aggravated by a well-founded alarm for your liberty; unwilling to relinquish, but when relinquished, too magnanimous and too wise to resume abdicated tyranny; they feel in these propositions an honourable solicitude for the freedom of Ireland and the good faith of Great Britain, and see the darling principles and passions of both countries wounded in an arrangement which was to compose them for ever: to a proposal therefore so little warranted by the great body of the people of England, so little expected by the people of Ireland, so little suggested by the minister, and so involving to whatever is dear to your interest, honour, and freedom, I answer, No. I plead past settlements; I insist on the faith of nations; the objection should have been made when these settlements were making; but now the logic of empire comes too late: no accommodation, no deprecation on this subject: assertion, national assertion, national re-assertion! If, three years after the recovery of your freedom, you bend, your children, corrupted by your example, will surrender; but if

you stand firm and inexorable, you make a seasonable impression on the people of England; you give a wholesome example to your children; you afford an awful instruction to His Majesty's ministers; and make (as the old English did in the case of their charter) the attempt on Irish liberty, its confirmation and establishment!

However, lest certain glosses should seem to go unanswered, I shall, for the sake of argument, waive past settlements, and combat the reasoning of the English resolutions, the address, His Majesty's answer, and the reasoning of this day. It is here said, that the laws respecting commerce and navigation should be similar, and inferred, that Ireland should subscribe the laws of England on those subjects; that is, the same law, the same legislature: but this argument goes a great deal too far; it goes to the army, for the mutiny bill should be the same; it was endeavoured to be extended to the collection of your revenue, and is in train to be extended to your taxes; it goes to the extinction of the most invaluable part of your parliamentary capacity; it is a union, an incipient and a creeping union; a virtual union, establishing one will in the general concerns of commerce and navigation, and reposing that will in the Parliament of Great Britain; a union where our Parliament preserves its existence after it has lost its authority, and our people are to pay for a parliamentary establishment, without any proportion of parliamentary representation. In opposing the right honourable gentleman's bill; I consider myself as opposing a union *in limine*, and that argument for union which makes similarity of law and community of interest (reason strong for the freedom of Ireland!) a pretence for a condition which would be dissimilarity of law, because extinction of constitution, and therefore hostility, not community of interest; I ask, on what experience is this argument founded? Have you, ever since your redemption, refused to preserve a similarity of law in trade and navigation? Have you not followed Great Britain in all her changes of the act of navigation, during the whole of that unpalatable business, the American war? Have you not excluded the cheap produce of other plantations, in order that Irish poverty might give a monopoly to the dear produce of British colonies? Have you not made a better use of your liberty than Great Britain did of her power? But I have an objection to this argument, stronger even than its want of foundation in reason and experiment; I hold it to be nothing less than an intolerance of the parliamentary constitution of Ireland, a delaration that the full and free external legislation

of the Irish Parliament is incompatible with the British empire. I do acknowledge, that by your external power you might discompose the harmony of empire, and I add, that, by your power over the purse, you might dissolve the state: but to the latter, you owe your existence in the constitution, and to the former, your authority and station in the empire: this argument, therefore, rests the connection upon a new and a false principle, goes directly against the root of Parliament, and is not a difficulty to be accommodated, but an error to be eradicated; and if any body of men can still think that the Irish constitution is incompatible with the British empire, doctrine which I abjure as sedition against the connection; but if any body of men are justified in thinking that the Irish constitution is incompatible with the British empire, perish the empire! live the constitution! Reduced by this false dilemma to take a part, my second wish is the British empire, my first wish and bounden duty is the liberty of Ireland; but we are told this imperial power is not only necessary for England, but safe for Ireland.

What is the present question? what but the abuse of this very power of regulating the trade of Ireland, by the British Parliament excluding you, and including herself by virtue of the same words of the same act of navigation? And what was the promovent cause of this arrangement? what but the power you are going to surrender,—the distinct and independent external authority of the Irish Parliament, competent to question that misconstruction? What is the remedy now proposed?—the evil. Go back to the Parliament of England; I ask again, what were the difficulties in the way of your eleven propositions? what but the jealousy of the British manufacturers on the subject of trade? And will you make them your parliament, and that too for ever, and that too on the subject of their jealousy, and in the moment they displayed it! I will suppose that jealousy realised; that you rival them in some market abroad, and that they petition their Parliament to impose a regulation which shall affect a tonnage which you have, and Great Britain has not; how would you then feel your situation, when you should be obliged to register all this? And how would you feel your degradation, when you should see your own manufacturers pass you by as a cypher in the constitution, and deprecate their ruin at the bar of a foreign parliament! Whence the American war? Whence the Irish restrictions? Whence the misconstruction of the act of navigation? Whence but from the evil of suffering one country to regulate the trade and navigation of another, and of instituting, under the idea of

general protectress, a proud domination, which sacrifices the interest of the whole to the ambition of a part, and arms the little passions of the monopolist with the sovereign potency of an Imperial Parliament: for great nations, when cursed with unnatural sway, follow but their nature when they invade; and human wisdom has not better provided for human safety, than by limiting the principles of human power. The surrender of legislature has been linked to cases that not unfrequently take place between two equal nations, covenanting to suspend, in particular cases, their respective legislative powers for mutual benefit; thus Great Britain and Portugal agree to suspend their legislative power in favour of the wine of the one, and the woollen of the other; but if Portugal had gone farther, and agreed to subscribe the laws of England, this covenant had not been a treaty, but conquest; so Great Britain and Ireland may covenant not to raise high duties on each other's manufactures; but if Ireland goes farther, and covenants to subscribe British law, this is not a mutual suspension of the exercise of legislative power, but a transfer of the power itself from one country to another, to be exercised by another hand; such covenant is not reciprocity of trade; it is a surrender of the government of your trade, inequality of trade, and inequality of constitution. I speak, however, as if such transfer could take place; but in fact it could not: any arrangement so covenanting is a mere nullity; it could not bind you, still less could it bind your successors; for a man is not omnipotent over himself, neither are your parliaments omnipotent over themselves, to accomplish their own destruction, and propagate death to their successors; there is in these cases a superior relationship to our respective creators — God and the community, which, in the instance of of the individual, arrests the hand of suicide, and in that of the political body, stops the act of surrender, and makes man the means of propagation, and Parliament the organ to continue liberty, not the engine to destroy it. However, though the surrender is void, there are two ways of attempting it; one, by a surrender in form, the other, by a surrender in substance; appointing another Parliament your substitute, and consenting to be its register or stamp, by virtue of which to introduce the law and edict of another land; to clothe with the forms of your law, foreign deliberations, and to preside over the disgraceful ceremony of your own abdicated authority; both methods are equally surrenders, and both are wholly void. I speak on principle, the principle on which you stand — your creation. We, the limited trustees of the delegated power, born for a par-

ticular purpose, limited to a particular time, and bearing an inviolable relationship to the people who sent us to parliament, cannot break that relationship, counteract that purpose, surrender, diminish, or derogate from those privileges we breathe but to preserve. Could the Parliament of England covenant to subscribe your laws? could she covenant that young Ireland should command, and old England should obey? If such a proposal to England were mockery, to Ireland it cannot be constitution. I rest on authority as well as principle,—the authority on which the revolution rests. Mr. Locke, who, in his chapter on the abolition of government, says, "that the transfer of legislative power is the abolition of the state, not a transfer." Thus, I may congratulate this House and myself, that it is one of the blessings of the British consitution, that it cannot perish of rapid mortality, nor die in a day; like the men who should protect her. Any act that would destroy the liberty of the people, is dead-born from the womb. Men may put down the public cause for a season, but another year would see old Constitution advance the honours of his head, and the good institution of Parliament shaking off the tomb to re-ascend, in all its pomp and pride, and plenitude, and privilege!

Sir, I have stated these propositions, and the bill, as a mere transfer of external legislative authority to the Parliament of Great Britain, but I have understated their mischief; they go to taxation; taxes on the trade with the British plantations, taxes on the produce of foreign plantations, taxes on some of the produce of the United States of North America; they go to port duties, such as Great Britain laid on America! The mode is varied, but the principle is the same. Here Great Britain takes the stamp of the Irish Parliament; Great Britain is to prescribe, and Ireland is to obey! We anticipate the rape by previous surrender, and throw into the scale our honour, as well as our liberty. Do not imagine that all these resolutions are mere acts of regulation; they are solid, substantial revenue, a great part of your additional duty. I allow the bill excepts rum and tobacco; but the principle is retained, and the operation of it only kept back. I have stated that Great Britain may by these propositions crush your commerce, but I shall be told that the commercial jealousy of Great Britain is at an end: but are her wants at an end? are her wishes for Irish subsidy at an end? No; and they may be gratified by laying colony duties on herself, and so raising on Ireland Parliament, an imperial revenue to be subscribed by our in despite without the consent of our Parliament, and

of our people: or, if a minister should please to turn himself to a general excise, if wishing to relieve from the weight of further additional duties the hereditary revenue now alienated, if wishing to relieve the alarms of the English manufacturers, who complain of our exemption from excises, particularly on soap, candles, and leather, he should proceed on those already registered articles of taxation; he might tax you by threats, suggesting that if you refuse to raise an excise on yourself, England will raise colony duties on both. See what a mighty instrument of coercion, this bill and these resolutions! Stir, and the minister can crush you, in the name of Great Britain; he can crush your imports; he can crush your exports; he can do this in a manner peculiarly mortifying, by virtue of a clause in a British act of Parliament, that would seem to impose the same restrictions on Great Britain; he can do this in a manner still more offensive, by the immediate means of your own Parliament, who would be then an active cypher, and notorious stamp, in the hands of Great Britain, to forge and falsify the name and authority of the people of Ireland. I have considered your situation under these propositions with respect to Great Britain: see what would be your situation with respect to the crown: you would have granted to the King a perpetual money bill, or a money bill to continue as long as the Parliament of Great Britain shall please, with a covenant to increase it as often as the British Parliament shall please. By the resolutions, a great part of the additional duty would have been so granted; the trade of the country is made dependent on the Parliament of Great Britain, and the Crown is made less dependent on the Parliament of Ireland, and a code of prerogative added to a code of empire. If the merchant, after this, should petition you to lower your duties on the articles of trade, you answer, "trade is in covenant." If your constituents should instruct you to limit the bill of supply, or pass a short money bill, you answer, "the purse of the nation, like her trade, is in covenant." No more of six months' money bills; no more of instructions from constituents, that connection is broken by this bill: pass this, you have no constituent; you are not the representative of the people of Ireland, but the register of the British Parliament, and the equalizer of British duties!

In order to complete this chain of power, one link (I do acknowledge) was wanting, a perpetual revenue bill, or a covenant from time to time to renew the bill for the collection thereof. The twentieth resolution, and this bill founded upon it, attain that object. Sir, this House rests on three pillars; your power over the annual mutiny bill; your power over the annual additional duties; your power over the col-

lection of the revenue. The latter power is of great consequence, because a great part of our revenues are granted for ever. Your ancestors were slaves; and for their estates, that is, for the act of settlement, granted the hereditary revenue, and from that moment ceased to be a parliament; nor was it till many years after, that parliament revived; but it revived, as you under this bill would continue, without parliamentary power; every evil measure derived argument, energy, and essence, from this unconstitutional fund. If a country gentleman complained of the expenses of the Crown, he was told a frugal government could go on without a parliament, and that we held our existence by withholding the discharge of our duty. However, though the funds were granted for ever, the provision for the collection was inadequate; the smuggler learned to evade the penalties, and Parliament, though not necessary for granting the hereditary revenue, became necessary for its collection. Here then we rest on three pillars: the annual mutiny bill, the annual additional supply; and the annual collection of the revenue. If you remove all these, this fabric falls; remove any one of them, and it totters; for it is not the mace, nor the chair, nor this dome, but the deliberate voice resident therein, that constitutes the essence of parliament. Clog your deliberations, and you are no longer a parliament, with a thousand gaudy surviving circumstances of show and authority.

Contemplate for a moment the powers this bill presumes to perpetuate; a perpetual repeal of trial by jury; a perpetual repeal of the great charter; a perpetual writ of assistance; a perpetual felony to strike an exciseman!

The late Chief Baron Burgh, speaking on the revenue bill, exclaimed, "You give to the dipping rule, what you should deny to the sceptre."

All the unconstitutional powers of the excise we are to perpetuate; the constitutional powers of Parliament we are to abdicate. Can we do all this? can we make these bulky surrenders, in diminution of the power, in derogation of the pride of Parliament, and in violation of those eternal relationships which the body that represents should bear to the community which constitutes?

The pretence given for this unconstitutional idea is weak indeed; that, as the benefits are permanent, so should be the compensation. But trade-laws are to follow their nature, revenue laws to follow their's. On the permanent nature of commercial advantages depends the faith of trade; on the limited nature of revenue-laws depends the existence of parliament: but the error of argument arises from the

vice of dealing. It is a market for a constitution, and a logic, applicable to barter only, is applied to freedom. To qualify this dereliction of every principle and power, the surrender is made constitutional, that is, the British market for the Irish constitution; the shadow of a market for the substance of a constitution! You are to reserve an option, trade, or liberty; if you mean to come to the British market, you must pass under the British yoke. I object to this principle in every shape, whether you are, as the resolution was first worded, directly to transfer legislative power to the British Parliament; whether, as it was afterwards altered, you are to covenant to subscribe her acts; or whether, as it is now softened, you are to take the chance of the British market, so long as you waive the blessings of the British constitution — terms dishonourable, derogatory, incapable of forming the foundation of any fair and friendly settlement, injurious to the political morality of the nation. I would not harbour a slavish principle, nor give it the hospitality of a night's lodging in a land of liberty! Slavery is like any other vice, tolerate, and you embrace. You should guard your constitution by settled maxims of honour, as well as wholesome rules of law; and one maxim should be, never to tolerate a condition which trenches on the privilege of parliament, or derogates from the pride of the island. Liberal in matters of revenue, practicable in matters of commerce; on these subjects, I would be inexorable; if the genius of old England came to that bar, with the British constitution in one hand, and in the other an offer of all that England retains, or all that she has lost of commerce, I should turn my back on the latter, and pay my obeisance to the blessings of her constitution; for that constitution will give you commerce, and it was the loss of that constitution that deprived you of commerce. Why are you not now a woollen country? because another country regulated your trade. Why are you not now a country of re-export? because another country regulated your navigation. I oppose the original terms as slavish, and I oppose the conditional clause as an artful way of introducing slavery, of soothing a high-spirited nation into submission by the ignominious delusion, that she may shake off the yoke when she pleases, and once more become a free people. The direct unconstitutional proposition could not have been listened to, and therefore resort is had to the only possible chance of destroying the liberty of the people, by holding up the bright reversion of the British constitution, and the speculation of future liberty, as a consolation for the present submission. But would any gentleman here wear

a livery to-night because he might lay it aside in the morning? or would this House substitute another because next year it might resume its authority, and once more become the Parliament of Ireland? I do not believe we shall get the British, but I do not want to make an experiment on the British market, by making an experiment likewise on the constitution and spirit of the people of Ireland. But do not imagine, if you shall yield for a year, you will get so easily clear of this inglorious experiment: if this is not the British market, why accept the adjustment? and if it is, the benefit thereof may take away your deliberative voice. You will be bribed out of your constitution by your commerce: there are two ways of taking away free-will, the one by direct compulsion, the other by establishing a præpollent motive. Thus, a servant of the Crown may lose his free-will, when he is to give his vote at the hazard of his office, and thus a parliament would lose its free will, if it acted under a conviction that it exercised its deliberative function at the risk of its commerce. No question would stand upon its own legs, but each question would involve every consideration of trade, and, indeed, the whole relative situation of the two countries. I beseech you to consider that situation, and contemplate the powers of your own country, before you agree to surrender them. Recollect that you have now a right to trade with the British plantations, in certain articles, without reference to British duties; that you have a right to trade with the British plantations in every other article, subject to the British duties; that you have a right to get clear of each and of every part of that bargain; that you have a right to take the produce of foreign plantations, subject to your own unstipulated duties; that you have a right to carry on a free and unqualified trade with the United States of North America; that you have a right to carry on an experimental trade in countries contiguous to which Great Britain has established her monopolies: the power of trade this, and an instrument of power, and station and authority in the British empire! Consider that you have likewise a right to the exclusive supply of your own market, and to the exclusive reserve of the rudiment of your manufactures; that you have an absolute dominion over the public purse and over the collection of the revenue. If you ask me how you shall use these powers, I say for Ireland, with due regard to the British nation, let them be governed by the spirit of concord, and with fidelity to the connection; but when the mover of the bill asks me to surrender those powers, I am astonished at him. I have neither ears, nor eyes, nor functions, to make such a sacrifice. What! that free trade,

for which we exerted every nerve in 1779; that free constitution for which we pledged life and fortune in 1782! Our lives are at the service of the empire; but — our liberties! No; we received them from our Father which is in Heaven, and we will hand them down to our children! But if gentlemen can entertain a doubt of the mischief of these propositions, are they convinced of their safety? the safety of giving up the government of your trade? No! the mischief is prominent, but the advantage is of a most enigmatical nature. Have gentlemen considered the subject? have they traced even the map of the countries, the power or freedom of trading with whom they are to surrender for ever? Have they traced the map of Asia, Africa, and America? Do they know the French, Dutch, Portuguese, and Spanish settlements. Do they know the neutral powers of those countries, their produce, aptitudes, and dispositions? Have they considered the state of North America? its present state, future growth, and every opportunity in the endless succession of time attending that nurse of commerce and asylum of mankind? Are they now competent to declare on the part of themselves and all their posterity, that a free-trade to those regions will never, in the efflux of time, be of any service to the kingdom of Ireland? If they have information on this subject, it must be by a communication with God, for they have none with man: it must be inspiration, for it cannot be knowledge. In such circumstances, to subscribe this agreement, without knowledge, without even the affectation of knowledge, when Great Britain, with all her experience, and every means of information from East Indies, West Indies, America, and with the official knowledge of Ireland at her feet, has taken six months to deliberate, and has now produced twenty resolutions, with an history to each, amounting to a code of empire, not a system of commerce: I say, in such circumstances, for Ireland to subscribe this agreement, would be infatuation — an infatuation to which the nation could not be a party, but would appear to be concluded, or indeed huddled, with all her posterity, into a fallacious arrangement, by the influence of the Crown, without the deliberation of Parliament, or the consent of the people! This would appear the more inexcusable, because we are not driven to it; adjustment is not indispensable; the great points have been carried! An inferior question about the home-market has been started, and a commercial fever artificially raised; but while the great points remain undisturbed, the nations cannot be committed; the manufacturers applied for protecting duties, and have failed; the minister offered a system of reciprocity, and

succeeded in Ireland, but has failed in England: he makes you another offer, inconsistent with the former, which offer the English do not support, and the Irish deprecate.

We can go on; we have a growing prosperity, and as yet an exemption from intolerable taxes; we can from time to time regulate our own commerce, cherish our manufactures, keep down our taxes, and bring on our people, and brood over the growing prosperity of young Ireland. In the mean time we will guard our free trade and free constitution, as our only real resources: they were the struggles of great virtue, the result of much perseverance, and our broad base of public action! We should recollect that this House may now, with peculiar propriety, interpose, because you did, with great zeal and success, on this very subject of trade, bring on the people; and you did, with great prudence and moderation, on another occasion, check a certain description of the people, and you are now called upon by consistency to defend the people. Thus mediating between extremes, you will preserve this island long, and preserve her with a certain degree of renown. Thus faithful to the constitution of the country, you will command and insure her tranquillity; for our best authority with the people is, protection afforded against the ministers of the Crown. It is not public clamour but public injury that should alarm you; your high ground of expostulation with your fellow-subjects has been your services; the free trade you have given the merchant, and the free constitution you have given the island! Make your third great effort;—preserve them, and with them preserve unaltered your own calm sense of public right, the dignity of the parliament, the majesty of the people, and the powers of the island! Keep them unsullied, uncovenanted, uncircumscribed, and unstipendiary! These paths are the paths to glory; and let me add, these ways are the ways of peace: so shall the prosperity of your country, though without a tongue to thank you, yet laden with the blessings of constitution and of commerce, bear attestation to your services, and wait on your progress with involuntary praise!

The House divided on Mr. Orde's motion; Ayes 127, Noes 108; Majority in favour of bringing in the bill 19.

Tellers for the Ayes, Right Honourable Mr. Gardiner and Mr. Moore.

Tellers for the Noes, Right Honourable Thomas Conolly and Mr. O'Neill.

At nine o'clock in the morning Sir Hercules Langrishe proposed the question of adjournment; several members pressed the gentleman at the government side to relinquish the measure in

consequence of such a strong division against it. The question of adjournment was, however, put and carried: Ayes 120, Noes 104; Majority for the adjournment 16.

The following were the twenty resolutions passed by the British House of Commons, to which Mr. Grattan so strongly objected:

"1. That it is highly important to the interests of both countries, that the commerce between Great Britain and Ireland should be finally regulated on permanent and equitable principles, for the mutual benefit of both countries.

"2. That a full participation of commercial advantages should be permanently secured to Ireland, whenever a provision, equally permanent and secure, shall be made by the Parliament of that kingdom towards defraying, in proportion to its growing prosperity, the necessary expences, in time of peace, of protecting the trade and general interests of the empire.

"3. That towards carrying into full effect so desirable a settlement, it is fit and proper, that all articles, not the growth or manufacture of Great Britain or Ireland, except those of the growth, produce, or manufacture of any of the countries beyond the Cape of Good Hope to the Streights of Magellan, should be imported into each kingdom from the other reciprocally, under the same regulations, and at the same duties, (if subject to duties,) to which they would be liable when imported directly from the country or place from whence the same may have been imported into Great Britain or Ireland respectively, as the case may be; and that all duties originally paid on importation into either country respectively, except on arrack and foreign brandy, and on rum, and all other sorts of strong waters not imported from the British colonies in the West Indies, shall be fully drawn back on exportation to the other. But, nevertheless, that the duties shall continue to be protected and guarded, as at present, by withholding the drawback, untill a certificate from the proper officers of the revenue in the kingdom to which the export may be made, shall be returned and compared with the entry outwards.

"4. That it is highly important to the general interests of the British empire, that the laws for regulating trade and navigation should be the same in Great Britain and Ireland; and, therefore, that it is essential towards carrying into effect the present settlement, that *all laws which have been made, or shall be made in Great Britain, for securing exclusive privileges to the ships and mariners of Great Britain, Ireland, and the British colonies and plantations, and for regulating and restraining the trade of the British colonies and plantations, such laws imposing the same restraints, and conferring the same benefits on the subjects of both kingdoms, should be in force in Ireland, by laws to be passed by the Parliament of that kingdom for the same time, and in the same manner as in Great Britain.*

"5. That it is farther essential to this settlement, that all goods and commodities of the growth, produce, or manufacture, of British or foreign colonies in America, or the West Indies, and

the British or foreign settlements on the coast of Africa, imported into Ireland, should, on importation, be subject to the same duties and regulations, as the like goods are, or from time to time shall be subject to, upon importation into Great Britain; or, if prohibited from being imported into Great Britain, shall in like manner be prohibited from being imported into Ireland.

"6. That in order to prevent illicit practices, injurious to the revenue and commerce of both kingdoms, it is expedient, that all goods, whether of the growth, produce, or manufacture of Great Britain or Ireland, or of any foreign country, which shall hereafter be imported into Great Britain from Ireland, or into Ireland from Great Britain, should be put, by laws to be passed in the parliament of the two kingdoms, under the same regulations with respect to bonds, cockets, and other instruments, to which the like goods are now subject in passing from one port of Great Britain to another.

"7. That for the like purpose, it is also expedient, that when any goods, the growth, produce, or manufacture of the British West India islands, or any other of the British colonies or plantations, shall be shipped from Ireland for Great Britain, they should be accompanied with such original certificates of the revenue officers of the said colonies as shall be required by the law on importation into Great Britain; and that when the whole quality included in one certificate shall not be shipped at any one time, the original certificate, properly indorsed as to quantity, should be sent with the first parcel; to identify the remainder, if shipped at any future period, new certificates should be granted by the principal officers of the ports in Ireland, extracted from a register of the original documents, specifying the quantities before shipped from thence, by what vessels, and to what ports.

"8. That it is essential for carrying into effect the present settlement, that all goods exported from Ireland to the British colonies in the West Indies, or in America, or to the British settlements on the coast of Africa, should from time to time be made liable to such duties and drawbacks, and put under such regulations as may be necessary, in order that the same may not be exported with less incumbrance of duties or impositions than the like goods shall be burthened with when exported from Great Britain.

"9. That it is essential to the general commercial interests of the empire, that so long as the Parliament of this kingdom shall think it advisable that the commerce to the countries beyond the Cape of Good Hope shall be carried on solely by an exclusive company, having liberty to import into the port of London only, no goods of the growth, produce, or manufacture of any countries beyond the Cape of Good Hope should be importable into Ireland from any foreign country, or from any settlement in the East Indies belonging to any such foreign country; and that no goods of the growth, produce, or manufacture of the said countries should be allowed to be imported into Ireland but through Great Britain; and it shall be lawful to export such goods of the growth, produce, or manufacture of any of the countries beyond the Cape of Good

Hope to the Streights of Magellan from Great Britain to Ireland, with the same duties retained thereon as are now retained on their being exported to that kingdom; but that an account shall be kept of the duties retained, and the net drawback on the said goods imported to Ireland; and that the amount thereof shall be remitted by the receiver-general of His Majesty's customs in Great Britain to the proper officer of the revenue in Ireland, to be placed to the account of His Majesty's revenue there, subject to the disposal of the Parliament of that kingdom; and that whenever the commerce to the said countries shall cease to be carried on by an exclusive company in the goods of the produce of countries beyond the Cape of Good Hope to the Streights of Magellan, the goods should be importable into Ireland from countries from which they may be importable to Great Britain, and no other; and that no vessel should be cleared out from Ireland for any part of the countries from the Cape of Good Hope to the Streights of Magellan, but such as shall be freighted in Ireland by the said exclusive company, and shall have sailed from the port of London; and that the ships going from Great Britain to any of the said countries beyond the Cape of Good Hope should not be restrained from touching at any of the ports in Ireland, and taking on board there any of the goods of the growth, produce, or manufacture of Great Britain.

"10. That no prohibition should exist in either country, against the importation, use, or sale of any article, the growth or manufacture of the other; except such as either kingdom may judge expedient, from time to time, upon corn, meal, malt, flour, and biscuits; and except such qualified prohibitions, at present contained in any act of the British or Irish Parliaments, as do not absolutely prevent the importation of goods or manufactures, or materials of manufactures, but only regulate the weight, the size, the packages, or other particular circumstances, or prescribe the built or country, and dimensions of the ships importing the same; and also, except on ammunition, arms, gunpowder, and other utensils of war, importable only by virtue of His Majesty's license; and that the duty on the importation of every such article (if subject to duty in either country) should be precisely the same in the one country as in the other, except where an addition may be necessary in either country, in consequence of an internal duty on any such article of its own consumption, or in consequence of internal bounties, in the country where such article is grown, produced, or manufactured, and except such duties as either kingdom may judge expedient, from time to time, upon corn, meal, malt, flour, and biscuits.

"11. That in all cases where the duties on articles of the growth, produce, or manufacture of either country are different on the importation into the other, it is expedient that they should be reduced, in the kingdom where they are the highest, to an amount not exceeding the amount payable in the other; so that the same shall not be less than ten and a half per cent. upon any article which was charged with a duty, on importation into Ire-

land, of ten and a half per cent. or upwards, previous to the 17th day of May, 1782; and that all such articles should be exportable from this kingdom, into which they shall be imported, as free from duty as the similar commodities or home manufactures of the same kingdom.

"12. That it is also proper, that in all cases where the articles of the consumption of either kingdom, shall be charged with an internal duty on the manufacture, the said manufacture, when imported from the other, may be charged with a farther duty on importation, adequate to countervail the internal duty on the manufacture as far as relates to the duties now charged thereon; such farther duty to continue so long only as the internal consumption shall be charged with the duty or duties to balance which it shall be imposed; and that where there is a duty on the importation of the raw material of any manufacture in one kingdom, greater than the like duty on raw materials in the other, such manufacture may, on its importation into the other kingdom be charged with such a countervailing duty as may be sufficient to subject the same, so imported, to burdens adequate to those which the manufacture composed of the like raw material is subject to, in consequence of duties on the importation of such material in the kingdom into which such manufacture is so imported; and the said manufacture so imported, shall be entitled to such drawbacks or bounties on exportation, as may leave the same subject to no heavier burden than the home-made manufacture.

"13. That, in order to give permanency to the settlement now intended to be established, it is necessary, that no new or additional duties should be hereafter imposed in either kingdom, on the importation of any article of the growth, produce, or manufacture of the other, except such additional duties as may be requisite to balance the duties on internal consumption, pursuant to the foregoing resolution, or in consequence of bounties remaining on such articles, when exported to the other kingdom.

"14. That for the same purpose, it is necessary farther, that no prohibition, or new additional duties, shall be hereafter imposed in either kingdom, on the exportation of any article of native growth, produce, or manufacture from the one kingdom to the other, except such as either kingdom may deem expedient, from time to time, upon corn, meal, malt, flour, and biscuits.

"15. That for the same purpose, it is necessary, that no bounties whatsoever should be paid or payable in either kingdom, on the exportation of any article to the other, except such as relate to corn, meal, malt, flour, and biscuits, and except also the bounties at present given by Great Britain on beer, and spirits distilled from corn; and such as are in the nature of drawbacks or compensation for duties paid, and that no bounty should be payable on the exportation of any article to any British colonies or plantations, or to the British settlements on the coast of Africa, or on the exportation of any article imported from the British plantations, or from the British settlements on the coast of Africa, or British settlements in the East Indies; or any manufacture made

of such article, unless in cases where a similar bounty is payable in Great Britain, on exportation from thence, or where such bounty is merely in the nature of a drawback or compensation of, or for duties paid, over and above any duties paid thereon in Britain; and where any internal bounty shall be given in either kingdom, on any goods manufactured therein, and shall remain on such goods when exported, a countervailing duty adequate thereto may be laid upon the importation of the said goods into the other kingdom.

"16. That it is expedient for the general benefit of the British empire, that the importation of articles from foreign countries should be regulated from time to time in each kingdom on such terms as may effectually favour the importation of similar articles of the growth, product, or manufacture of the other, except in the case of materials of manufactures, which are, or hereafter may be allowed to be imported from foreign countries, duty free; and in all cases where any articles are or may be subject to higher duties on importation into this kingdom, from the countries belonging to any of the States of North America, than the like goods are or may be subject to when imported, as the growth, produce, or manufacture of the British colonies and plantations, or as the produce of the fisheries carried on by British subjects, such articles shall be subject to the same duties on importation into Ireland, from the countries belonging to any of the States of North America, as the same are or may be subject to on importation from the said countries into this kingdom.

"17. That it is expedient, that measures should be taken to prevent disputes touching the exercise of the right of the inhabitants of each kingdom to fish on the coast of any part of the British dominions.

"18. That it is expedient, that such privileges of printing and vending books as are or may be legally possessed within Great Britain, under the grant of the Crown or otherwise, and the copy-rights of the authors and booksellers of Great Britain, should continue to be protected in the manner they are at present, by the laws of Great Britain; and that it is just that measures should be taken by the Parliament of Ireland for giving the like protection to the copy-rights of the authors and booksellers of that kingdom.

"19. That it is expedient, that regulations should be adopted with respect to patents to be hereafter granted for the encouragement of new inventions, so that the rights, privileges, and restrictions thereon granted and contained, shall be of equal duration and force throughout Great Britain and Ireland.

"20. That the appropriation of whatever sum the gross hereditary revenue of the kingdom of Ireland (the due collection thereof being secured by permanent provisions) shall produce, after deducting all drawbacks, repayments, or bounties granted in the nature of drawbacks, over and above the sum of six hundred and fifty-six thousand pounds in each year, towards the support of the naval force of the empire, to be applied in such manner as the Parliament of Ireland shall direct, by an act to be passed for that

purpose, will be a satisfactory provision, proportioned to the growing prosperity of that kingdom, towards defraying, in time of peace, the necessary expenses of protecting the trade and general interests of the empire."

August 15. 1785.

MR. ORDE SUBMITS HIS BILL ON THE COMMERCIAL PROPOSITIONS.

ON this day, Mr. Orde presented the bill which had been so long in agitation, and moved, "that it be read a first time and printed, in order that the country might consider it fully." He declared, at the same time, it was not his intention to press the measure this session. The question that the bill be received, was put and carried, but not without several negative voices.

Mr. Flood then moved the resolution that he had proposed on a former night. "Resolved, That we hold ourselves bound not to enter into any engagement to give up the sole and exclusive right of the Parliament of Ireland to legislate for Ireland in all cases whatever, as well externally, as commercially and internally."

Mr. Orde moved the question of adjournment.

Mr. Flood's motion was opposed by Mr. Denis Daly, Mr. George Ponsonby, Sir Hercules Langrishe, the Chancellor of the Exchequer (Mr. John Foster,) the Secretary of State (Mr. J. H. Hutchinson,) Mr. W. W. Pole, and the Attorney-general (Mr. Fitzgibbon). They contended, that Mr. Flood's resolution committed the House with the Parliament of Great Britain, and this upon the most mistaken ground. The independency of Ireland had been admitted by the British Parliament in the fullest extent; the motion was therefore improper, intemperate, and unwise.

It was supported by Mr. Curran, Mr. O'Hara, Mr. Corry, and Mr. Kearney.

Mr. Curran congratulated the House and the country on the escape they had from the bill of the right honourable gentleman. The bill would not be suffered to pass. "The bill," exclaimed Mr. Curran, "is at an end; the cloud that had been collecting so long, and threatening to break in tempest and ruin on our heads, had passed harmless away. The siege that was drawn round the constitution was raised, and the enemy was gone. *Juvat ire et dorica castra*, and we may now go abroad without fear, and trace the dangers from which we escaped. Here was drawn the line of circumvallation that cut us off for ever from the eastern world, and there the corresponding one that enclosed us from the west; nor let us, in our exultation, forget to whom we are indebted for this deliverance. Here stood the trusty mariner, Mr. Conolly,

on his old station, the mast-head, and gave the signal; here, Mr. Flood; all the wisdom of the state was collected, exploring your weakness and your strength, detecting every ambuscade, and pointing to the hidden battery that was brought to bear on the shrine of freedom; and there, Mr. Grattan was exerting an eloquence more than human, inspiring, forming, directing, animating to the great purposes of your salvation."

The Attorney-general stated, that the resolution of Mr. Flood was an insult to the Parliament of Great Britain. "If Ireland," said he, "seeks to quarrel with Great Britain, she is a besotted nation. Great Britain is not easily roused, nor easily appeased; Ireland is easily roused, and easily appeased."

The Attorney-general was here repeatedly called to order, and warmly pressed by Mr. Flood, Mr. Griffith, and Mr. Curran, on which he explained the expressions he had made use of; a warm and personal altercation, however, took place between him and Mr. Curran. *

Mr. GRATTAN said, I acknowledge myself to be perfectly of opinion with my right honourable friend (Mr. Daly,) that Ireland could not exist as an independent Protestant state but for the protection of Great Britain; and I declare, I am as ready to say, that there is nothing I would not sacrifice for that connection but the constitution. When the question, however, is brought to so nice a point as to make it a matter of appeal to gentlemen's decision which they would sacrifice, the constitution of the country or its connection with Great Britain, melancholy as it would be for me to pronounce the alternative, I must choose to retain the constitution; on that ground I opposed the introduction of the bill. My right honourable friend has thrown out a challenge, which, if any man could maintain and defend, I am ready to admit my right honourable friend could, because he has more ability and legal knowledge than falls to the share of most men; but I should imagine even my right honourable friend, with all his advantages, would find no small difficulty to keep his ground on such a cause of contest. Will my right honourable friend undertake, as a lawyer, to prove that the fourth proposition does not amount to a transfer of the constitutional right of legislation? Can it be called freedom to be obliged to agree to laws enacted by another legislature? does it not take away the power of deliberation, and substitute adoption?

* Mr. Curran having applied to Mr. Fitzgibbon the expressions he had applied to Ireland, "easily roused and easily put down," a dispute ensued, which terminated in a message from Mr. Fitzgibbon; a meeting took place, both parties fired without effect, and the affair was then adjusted.

(Mr. Grattan was proceeding to prove in argument that this extended to the trade of Ireland, *in toto*, when he was contradicted from the treasury bench.)

Mr. GRATTAN said, if finding one hundred and ten members against his bill, the right honourable gentleman has changed any part of it, possibly my argument may not apply; but I pledge myself if ever such a bill is produced as the right honourable gentleman stated on Friday, to make it appear to the satisfaction and conviction of the House, that it cannot be carried into effect as an operative law without laying the constitution of Ireland at the feet of Great Britain.

Gentlemen have said in argument what was neither logic or fact; they have stated what no young man of the college would take as fair reasoning; they have argued from the particular instance to the general case. This no raw student would attempt as logical. Besides, the fact laid down as the ground of their argument was false, — it was an argument for slavery; a mode of argument the most foolish that ever stained the lips of a statesman. They were to extend the principles on which they traded to the colonies to their foreign trade. (Upon this a cry of No! no! from the treasury bench; whereupon Mr. Grattan read a part of one of the clauses of the bill to prove the truth of his argument, after which he said,) To argue upon the subject in the manner that the House has heard, is to argue from the trade, properly the trade of Great Britain, to the trade of all the world. It is taking it for granted, that either quarter belonged equally to Great Britain. It is setting her up as one immense proprietor of the globe. The bill regulates our trade, universally, with Portugal, with Spain, with all the world. Why should we bind ourselves to such a sweeping system of regulation? We can have foreign trade without entering into the measure: as to foreign trade, England gives us no right we did not before possess; as to colony trade, she gives what we had before, on the former condition, that we give the colony trade a preference in our market.

But what did we adopt in the settlement mentioned? We adopted the laws then made, which were known and certain, but we did not bind ourselves to adopt any future laws, which were unknown and uncertain, and there is a great difference between the adoption of a law and the adoption of legislation; besides, there is an inconsistency in the gentlemen's arguments; they argue from visions: this country is represented

in a state of the most abject wretchedness, and this system, we are told, will burst forth immediately on us with the greatest riches: we are not only to equal Great Britain, but we are to excel her: we are instantly to become the mart or the emporium.

Now, I say, the contrary is the fact; we are neither in that wretched state we are represented, nor would it be in the power of this system to make us instantly affluent; I say, there is an inconsistency in this argument. Gentlemen say, there is nothing in this bill which binds our foreign trade. I say, if this bill is the same as the right honourable gentleman stated it to be, there is; I see it has been softened in the phraseology, and the attempt is cloaked under the idea of preference: we are to give a preference to the British colonies; we are to bind our trade to the East Indies; we are to favour a monopoly, and in return, we are to get the reversion of the East India trade, after the present company's charter expires— after the expiration of a charter on which the minister has founded the basis of his power by making it eternal. Gentlemen say, we cannot exist without Great Britain; they take the desponding side; and my objection to their arguments is, that they do not state the matter fairly. I believe we cannot exist without Great Britain, but I believe also, Great Britain cannot exist without us. Where would she get her linen yarn, her bay yarn, her leather? nay more, do we not furnish her with men? Are provisions nothing? Are seamen nothing?

I say, then, England cannot exist, cannot support the scale of power without us; and when gentlemen talk of all the benefits and advantages we were to receive from this system, they argue directly contrary to the evidence of the two gentlemen whom they sent over for the purpose of appearing at the bar: they went for the very purposes of showing we would not obtain such advantages. It is like a defendant who endeavours to falsify his own witnesses.

But we are told, that we may break the condition when we please. I ask, do gentlemen make no distinction between a power and a right? I say, if they talk of the power, I admit it. But would we have the right? Do not they know that the violation of a treaty is a sufficient cause for war? I do therefore think the bill inimical to the constitution, and to the commerce of the country.

The Chancellor of the Exchequer (Mr. John Foster), replied to Mr. Grattan, and defended the bill.

Mr. GRATTAN said, The right honourable member, the Chancellor of the Exchequer, has spoken not like an Irish ambassador, but an English factor; he has blazoned forth the wants and weakness of his own country with a triumph; he has gone into a most offensive, cruel, and disgusting catalogue of the obligations of this country to England, and he has concealed, with an unaccountable partiality to a country which is not his own, the many and various obligations of Great Britain to Ireland; her obligations to that kingdom for a great part of her importance as a nation in the consideration of foreign powers; her more particular obligations to that country, such as her dependency on Ireland, with regard to linen yarn, woollen yarn, hides, and provisions. Is money nothing? Are men nothing? England gets both from Ireland: this dependency has been stated and admitted by almost every Englishman who spoke on this business in Great Britain; but they have gone further, and expressly declared, that the British monopoly in the West, the company's charter in the East, nay, the act of navigation depended on the Parliament of Ireland. What were the words? "The guardianship of these important considerations is left to Ireland." These are the words of the Englishman; the contrary is the boast of the Irishman.

The right honourable member has denied that this bill framed here, adopts the fourth and fifth propositions, which oblige us to follow England in her laws with respect to foreign plantation produce. He read his own bill, and he reads the fourth proposition and the fifth; but he has had the management to change a little the words; he conceives the public will not see the meaning; but this is a vain experiment. He states, that the bill insists that we should give British plantation produce a preference, and favour such as England gives. How is that to be done? by adopting British laws, such as England makes: and, when he softened this covenant, to adopt English acts with respect to foreign plantations into the phrase of favour, he thinks he may stoutly deny the facts, because he is able to give a new appellation to it: thus, his right honourable friend, when he called Cork the medium of empire, thought it would have removed the objection to his calling it an emporium.

Sir, the right honourable gentleman seems to triumph in his knowledge of commerce, but, unfortunately for the cause he espouses, this is not mere matter of detail but of principle, viz. whether you will transfer to another country the power of making laws for, and of governing the trade and navigation of Ireland? Whatever victory he conceives he obtains over

me in argument, he obtains over the constitution of his country likewise, now put down as it were, and disgraced by a most disgusting and groundless recital of her weakness and dependency.

The right honourable member mentions Lord Chief Baron Yelverton's act, in the framing of which I was concerned: the bill of that great patriot and constitutional lawyer neither does nor could warrant any use the member has made of it. We wished to pass a declaration of rights; men were alarmed about their property held under English acts; he framed that act accordingly; but, in order to obtain the assent of the minister, he was obliged to adopt and pass by reference certain English acts then existing respecting navigation and trade: and this passing of English acts then in existence, the right honourable member compares to a covenant to adopt English acts in all times to come, or rather, indeed, to adopt the English legislature. It is impossible, that the right honourable member is not aware of the fallacy and feebleness of his own argument on this subject; just so he argues, that you may take the trade of the world under British regulations, because you have adopted those regulations in the property trade of Great Britain; confounding the principles of property with the privileges of free trade, as well as the principles of logic, by arguing from the particular to the general.

I should apologize for having troubled you, and for the scattered and tiresome manner in which I have delayed you; but, before I sit down, I must observe on a very improper and dangerous suggestion advanced by a right honourable member, that the grant of the plantation trade, as settled in 1779, is revocable by the British Parliament; revocable in law I allow, but not revocable in faith: no law can bind the British legislature—but faith will. I do not believe gentlemen have any authority from England to threaten Ireland with that revocation. Will the Lord-lieutenant's secretary say, that he is warranted by England to hold out to this country, that the repeal of the act of 1779, granting the plantation trade to Ireland, is intended? The loss which this nation shall sustain from the failure of this injurious adjustment is, by the right honourable member, stated as considerable; nay, he goes further, and says, "You will be a poor country for ever, notwithstanding your present privileges." I ask him, how came he to be satisfied with these privileges, and to preach satisfaction to every part of the community under these privileges, and to desire the people to cultivate the blessings of peace, as if nothing was wanting to make them rich and comfortable, except absence from politics? His creed now is altered; and neither in-

dustry nor any thing else will make them flourish, unless they swallow that recipe which he has prepared for them. I ask him again, how he will reconcile his present argument with the declarations of his own evidence in England. The Government here sent to England certain persons; and one I know to be a most useful and respectable man, the others I am not acquainted with; these persons were to give evidence at the bar of the British House of Commons, to shew that Ireland could not avail herself of the British market: their evidence is published; I refer to it as published. Thus, does the right honourable member send over evidence to the Parliament of England, and then falsifies his own evidence in the Parliament of Ireland.

Sir, I hope we shall never again see this bill, or any thing like it; if ever it has a resurrection, I will attend it, with unaltered abhorrence: the aversion entertained against it, is not infatuation; there is much public indignation, but no public infatuation.

The question of adjournment was then put, and carried without a division.

RESIGNATION OF THE SPEAKER.

September 5. 1785.

ON this day the clerk informed the House that he had received a letter from the Right Hon. Edmond Sexton Pery, the Speaker of the House, which he desired to have the honour of reading: he then read the letter: it was as follows:

" Gentlemen,

" My advanced age, the decline of my strength, and what I feared most, of my understanding, have determined me, before my imperfections become more apparent, to retire from that high station to which your favour had raised me. To these personal considerations, let me add one of much more moment, the hazard of an interruption to the business of the public by my infirmities. These motives have induced me to request that you will accept of my resignation of that high office with which you honoured me, and elect another gentleman in my room; and give me leave, gentlemen, at the same time, to make my most humble and grateful acknowledgments to you for your tenderness and indulgence to my errors, and for the constant and honourable support which you

have given me in the discharge of my duty during the course of fourteen years and upwards, the memory of which can never be erased from my mind.

" I am,
" With the utmost respect and sincere affection,
" Gentlemen,
" Your most obliged and most obedient servant,
" EDMUND SEXTON PERY.

" Sept. 4. 1785."

The Right Hon. Thomas Orde said, he, with much reluctance, was obliged to inform the House, that His Grace the Lord-lieutenant had also received a letter to the same effect: he expressed the deepest concern that the nation should be deprived of the advantages she had long received from the wisdom and integrity of Mr. Pery. He would not, he said, attempt to enter into an eulogium on the merits of a man, whom, though he had less opportunities of judging than almost any other member of the House, he had been used to think of with the highest veneration, and whose conduct in the chair for more than fourteen years, had established his reputation beyond the necessity of praise; but he would endeavour to provide a successor worthy of such a man; and, in naming his right hon. friend, Mr. Foster, he had an honest pride in reflecting how highly that gentleman's character stood in the estimation of the House, how many and how great proofs he had given of his exalted talents, extensive knowledge of business, and unshaken integrity; — qualities, for which he trusted he would be distinguished, and of which this nation would enjoy the fruits long after he (Mr. Orde) should cease to be a witness of them. He lamented, however, that another high department must now be deprived of the benefit of those qualities; but when he considered how peculiarly adapted they were to preserve order and give dignity to the proceedings of the House of Commons; he would not hesitate to move, " That the Right Hon. John Foster do now take the chair, as Speaker of this House." Lord Kilwarlin seconded the motion.

The clerk then put the question, which passed unanimously in the affirmative; and the Right Hon. John Foster was, by Mr. Orde and Lord Kilwarlin, conducted to the chair.

The Right Hon. Denis Daly observed, that the conduct of the late Speaker was such as had been highly honourable to himself, and advantageous to the nation: he thought that the House should demonstrate in what high estimation they held integrity, wisdom, and moderation; and shew that turbulence or meanness were not the only roads to preferment; he accordingly moved, " That the thanks of this House be given to the Right Hon. Edmund Sexton Pery, for his constant and unwearied attendance in the chair of this House for a period of fourteen years, and for the unshaken integrity and uncommon ability which he has exerted for the interests of this country."

The Speaker having put the question, the motion was carried *nem. con.*

Mr. Daly then moved, "That an humble address be presented to His Majesty, that he will confer some singular mark of Royal favour on the Right Hon. Sexton Pery, for his great services; and to assure His Majesty, that whatever expence may be incurred thereby, the House will make good the same." Agreed to likewise *nem. con.*

As Mr. Pery's health would not allow him to attend in his place, the House resolved that the Speaker should wait on him with their vote of thanks. On the 7th, the Speaker reported that he had communicated to Mr. Pery the thanks of the House, and had received in answer the following letter:

To the Right Hon. the Speaker of the House of Commons.

"Dear Sir,

"I have this moment received your very kind letter of yesterday, inclosing the resolution of the House of Commons, which confers on me the highest honour: the first object of my wishes has been to deserve their approbation; and that resolution has satisfied the utmost of my ambition, and left to posterity a noble monument of their favour. No words can express with sufficient force my gratitude, or what I feel; the only return I can make will be to offer up to Heaven my constant and fervent prayers, that the Commons of Ireland may ever preserve the constitution of the kingdom entire; and that their conduct may be rewarded by the approbation of their Sovereign, and the confidence of the people.

"I have the honour to be,
"With the greatest respect, esteem, and regard,
"Dear Sir,
"Your most obliged and most obedient servant,
"EDMUND SEXTON PERY.

"Sept. 7. 1785."

ADDRESS TO THE LORD-LIEUTENANT.

September 6. 1785.

LORD Headford reported the following address from the committee appointed to prepare the same.

"May it please Your Grace,

"We, His Majesty's most dutiful and loyal subjects, the Commons of Ireland in Parliament assembled, beg leave humbly to

express to Your Grace, with unaffected warmth, the satisfaction which we feel in every opportunity of testifying our respect for your person, and our attachment to your government. We cannot reflect upon Your Grace's constant attention to the happiness and welfare of this kingdom, without grateful acknowledgments to His Majesty, that His Majesty has been pleased to give us so acceptable a proof of his royal favour, as the continuing Your Grace in the government of Ireland. The generous humanity of disposition, and high sense of honour, which distinguish Your Grace's private character, have, in conjunction with your hereditary spirit and firmness, endeared you to the nation by their happy influence on your public conduct.

"We humbly desire Your Grace to accept our sincere thanks for those exertions, which, in consequence of our unanimous address and in obedience to His Majesty's commands, Your Grace employed during the last interval between our sessions, in preparing a plan of commercial intercourse with Great Britain. We are aware that the utmost delicacy and caution are necessary for the conduct of measures, in which the rights and interests of both kingdoms are equally regarded. And we entertain a just sense of the attention Your Grace has manifested to this principle, that their completion should depend upon the public satisfaction. We trust, therefore, that the further consideration of this subject will be pursued with that temper, that spirit of conciliation, and that impartial attention to the general welfare of the whole empire, which alone can ensure permanency to any system, or enable the wisdom of Parliament to perfect such an equal, reciprocal, and just arrangement, as may unite both kingdoms for ever in interest, and preserve in each a firm confidence of mutual affection.

"It is our zealous and ardent wish, that Your Grace may long continue in the government of this kingdom, and contemplate, with growing pride and satisfaction, the successful effects of your government, in the encreasing affection of a generous people, and in the progressive harmony and strength of the empire."

Mr. GRATTAN, (who just entered the House,) said, I wished to give my assent to the address; every personal compliment to His Grace the Lord Lieutenant, I am desirous to pay; the motion of yesterday, therefore, to thank him for his prudent, wise, and just administration, passed unanimously; but the address, combining the personal merit of His Grace with the political demerit of the late offensive arrangement, embarrasses those who would wish to make a personal compliment, without making a public surrender of any principle of commerce and constitution. I say, if the address only proposed to let down administration easy, to cover their most happy defeat, and to console them a little for the most fortunate overthrow of a most unjustifiable system, I should

have been silent: but here is my objection. I fear I see in some part of that address a train laid for the revival of the twenty propositions, and of that bill by which the right honourable gentleman proposed to carry the substance of those propositions into execution, where the address would thank the minister for the attention paid to the satisfaction of the public. I have no objection to it other than a want of foundation in fact. The secretary did not, in the conduct of this commercial business, pay the least attention to public satisfaction; on the contrary, after almost every county and city in the most pointed manner had expressed their dissatisfaction at his adjustment, he introduced this bill in their defiance, nay, after one hundred and ten of the first men in the kingdom had opposed the leave for bringing in the bill, he entertained an intention of forcing on the measure until he was taught to understand that the servants of the Crown would oppose it in its progress. The House was canvassed, and finding that he would be in the minority, the right honourable gentleman declined a measure which he found he could not carry, and yielded not in compliment to public satisfaction, but in certainty and shame of a public parliamentary overthrow.

The right honourable member seems to deny that the counties expressed their abhorrence at this system. I think he is unwise in raising such a doubt, because, in so doing, he challenges every county and city to meet again, in order to re-assert their sentiments and indignation with regard to his offensive arrangement; and he brings once more under public agitation, as a candidate for another condemnation, his system of public ruin and national dishonour. But my disapprobation goes more particularly against the part of the address which proposes to pursue the object. Here I apprehend a train laid for the revival of the bill and its principle, when I am told that this business is not to be revived, unless the public should call for it; in the generality of such an expression I do not see any precise security. I wish to know what is meant by the public calling for this bill; if by that, the right honourable member means, that he will never introduce it until the counties, cities, and towns, who have protested, shall recant their declarations, and most inconsistently demand what they have so loudly execrated, then I think we are tolerably safe; and if the right honourable gentleman will now rise in his seat, and declare that to be his intention, I, for one, shall continue here, and vote for the address. [Here the secretary refusing to make such a declaration, Mr. Grattan proceeded.] I am now confirmed in the justice of my apprehension, that some latent hope is

harboured, to be able to revive the late attempt on your commerce and constitution at a more favourable and patient moment, when the community shall be less on the watch for their own preservation: in the anxious interim, I do apprehend attempts to tamper with Parliament. I fear, lest the public hereafter will be said to call for this bill, if in the mean time a parliament shall be corrupted to give it support, and that the nation shall be said to have changed its mind, when the Parliament shall be found to have relinquished its virtue; then some member may be gotten to act the part of a country gentleman to the court, and in the name of the nation which he deserts, vindicate the bill, and call for its revival. I have no personal objection to the present administration, or their government; but their commercial system is what I will give no toleration to. I dread the revival of this business in the same hands, nor do I like the words in which that revival seems to be denounced — "we are to pursue the consideration of this object, with a view to the general welfare of the whole empire." Sir, it is remarkable that the constitution and commerce, and even the name of Ireland, are kept out of the great directing principle of the impending treaty, and are not to be found in this part of the address. Indeed, if you were to fight the natural enemies of England, you might well declare your object was the welfare of the whole empire; but when you seem laying a train of future negotiation, on the subject of Irish commerce, involving Irish constitution, to omit even to name the interests of either, and in their place to profess the interests of the whole empire, as the object of such negociation, promises nothing too auspicious to the people of Ireland. I have the less confidence in those words, because I remember the supremacy of the British Parliament, the restrictions on the Irish trade, and every former injury inflicted on this country, were defended on this very principle, and in those very words; for instance, "impartial attention to the general welfare of the whole empire." In these general words there is a great latitude; a latitude for the neglect of every particular duty, and for the surrender of the particular interests of our own country.

There are gentlemen who will call England the whole empire, and her exclusive power and domination, the general welfare; and the servants of government in Ireland may, if they would stoop to it, on such a principle, advance a pretence for abjuring every prejudice of their nativity; every special advantage of their own country, and for preferring the power of another land. Regard, I acknowledge, should be constantly had to the general welfare of the whole empire,

whenever it is really concerned; but let me add, that general welfare should never be made a pretence, nor be artificially and wantonly introduced; and in an arrangement, where Irish trade is professedly the subject, that trade ought to be expressly the object. I laugh at those Irish gentlemen who talk as if they were the representatives of something higher than their native land, — the representatives of empire, not of Ireland; but so talking and so acting, they would be in fact the representatives of their salary. Let me tell those gentlemen, if they are not Irishmen, they are nothing; and if we are not the representatives of Ireland, we are nothing. I am the more averse to the revival of this bill or its principle, because such revival must be accompanied with a new negociation, — a negociation wherein the British minister would be the ambassador for England and Ireland, or rather, the British minister would be the ambassador for England, and the servant of that minister would be the ambassador for Ireland; and where there is no personal equality in the negociators, there can be no political equality in the result of the treaty. If any thing could render the revival of this business still more alarming, it would be the doctrines which have been advanced to defend it. We have been gravely, positively, and dogmatically assured, that this country is, for the comforts and necessaries of life, for the rudiments of manufacture, and even for the element of fire, absolutely dependant on Great Britain; we have been assured that we can find nor coals, nor bark, nor salt, nor hops, any where, save only in Great Britain; in short, that Ireland has no coals, nor the continent salt, bark, or hops, to the astonishment, and, indeed, laughter of every merchant who heard such assertions; we have been told this, and we have been thus argued down into a state of physical slavery.

Ireland has been represented as the slave of England, by the laws of nature, in order to justify a system which would have made us her slave by force and operation of covenant. We have been further told in debate, and in public prints, that our trade has no claim to the protection of the British navy. Sir, you pay for that protection; you paid for it long ago; I tell you, that payment was the crown of Ireland. You annexed the crown of Ireland to that of Great Britain, and have a right to the protection of her navy, as much as she has a right to consider you as a part of the empire. Protecting you with her navy, she protects her own balance and weight in Europe, and preserves an empire which would else be reduced to an island; but if you are protected by an English, not an Irish navy, it is not that you have not granted taxes,

but that Great Britain naturally chuses to have but one navy in the empire, and very naturally wishes that navy to be her own. You are prevented from having an Irish navy, and should not be reproached with the protection of the British; as gentlemen have triumphantly displayed the dependancy of their native land on Great Britain, they have most anxiously concealed her value and importance — the importance of her linen yarn, bay yarn, hides, provisions, and men; the importance of her assent to the monopolies of Great Britain, East and West, and to the continuation of the act of navigation. Under such false impressions then, in those who are perhaps to act on the part of Ireland, an ignorance or concealment of her real consequences and resources, and the false persuasion of her insignificance and dereliction, nay, I will add, a zeal to display an offensive catalogue of her wants and wretchedness; I ask, what treaty will be made under these circumstances, that shall be to your advantage? Let me therefore caution my country against the revival of this bill, and against those arguments which have a tendency to put down the pretensions of Ireland, and humble the pride of the Irish nation; public pride is the best champion of public liberty; cherish it, for if ever this kingdom shall fall in her own esteem, shall labour under a prepossession of impotence, shall conceive she cannot have the necessaries of life or manufacture, but from the charity of another country, in short, that God and nature have put it in a state of physical bondage, I say, if once this becomes her sentiments, your laws are nothing, your charters are paper, and Ireland is a slave with magna charta in her hand; let us not then put down our native land, and rob her of her pride, to rob her of her constitution.

Sir, my right honourable friend seems to think that a doubt may arise whether we have a right to be included in British treaties; most undoubtedly we have that right, by virtue of the Irish crown annexed to the British; Ireland has a right and property in the prerogatives of that crown, and one clear right is, that of being included in treaties; to omit us, were to cast us off; a subject for parliamentary proceeding and punishment, not submission. Portugal was an unfortunate instance to be adduced by a friend to the adjustment or its principle; for by this adjustment, we are not restored to the benefit of the Methuen treaty, and yet, we were originally left out of the benefit of that treaty by the principle of this adjustment; for instance, leaving the regulation of our trade to the British Parliament. I might go more at large into the detail of this subject, explain the resources, insist on the importance, and

respect the honour of my native land, but I shall for the present stop; having expressed my fears lest this bill should be revived, I do declare that if such a measure, or any thing like it, should be hereafter produced, I shall be in my place to oppose the yoke, to oppose the system founded on principles of empire, not commerce, recommended by the language of insult, justified by depreciating the real value and importance of Ireland, and accompanied with a surrender of the constitution and commerce, and of every thing that is dear to this country.

Mr. Orde declared that his object in moving to have the bill printed was, that it might be distributed throughout the country, and that the people of Ireland might understand it, and when it was well understood and proved to be satisfactory, that it would be taken up again. After a few remarks from Mr. Hayes (of Avondale), Mr. Bushe, Sir Hercules Langrishe, and Mr. J. Cuffe, the question was put on the address.

Ayes 130, Noes 13; Majority in favour of the address 117.

Tellers for the Ayes, Lord Headfort and Sir John Parnell.

for the Noes, Lord Edward Fitzgerald and Mr. John Wolfe.

COMMITTEE OF SUPPLY.

MR. CONOLLY'S MOTION RELATIVE TO THE TAXES, GRANTED ON THE FAITH THAT THE IRISH PROPOSITIONS WOULD BE ACCEDED TO.

February 9. 1786.

MR. CONOLLY, pursuant to the notice he had given, proposed his resolutions.

1. "That this House did, in the last session of Parliament, grant certain new taxes, estimated at 140,000*l.* per annum, for the purpose of putting an end to the accumulation of debt.

2. "That, should the said taxes be continued, it is absolutely necessary that the expenses of the nation should be confined to her annual income."

The first resolution passed unanimously; the second was supported by Mr. Hardy, Mr. Brownlow, Mr. Griffith, Sir Edward Newenham, Mr. Forbes, and Mr. Corry.

Mr. Forbes stated, that the sum of 140,000*l.*, which had been voted in the last session, was granted on the faith that the eleven propositions would greatly improve the trade and resources of Ireland, and thereby enable her to pay the taxes. The benefit has

not reached us; has it then been granted to support a pension-list of 95,000*l.* 4,000*l.* greater than in England?

Mr. Corry went at length into the state of the finances, and strongly recommended economy: in the course of his speech, he observed, that "the political phenomena of our day, which have attracted the wonder of mankind, are the nativity of America, and the regeneration of the Irish constitution. Ireland now bursts forth with an energetic vigour, which only wants to render it permanent, — the wholesome nurture of a timely economy; thus, with Parliament to support him, the minister of this country may defy the proudest stranger who comes to govern us, to dissipate our treasures, or burden our prosperity."

Mr. GRATTAN said:

Sir, the motion before you is very near a self-evident proposition — that a nation, after a great exertion to raise her revenues, ought not to exceed them. I differ from those gentlemen who deny that the new taxes were granted in consideration of commercial advantages; commerce was held forth the last session as one of the compensations; to stop the progress of debt, was the other: but if any man doubts whether commercial advantages were in contemplation of the new taxes, look to the eleven resolutions, and let the record determine; there you will find the resolution for the taxes a part of the new system of commerce; the new taxes there evidently appear to have been asked on the credit of new commercial advantages, which were supposed likely to generate a new ability to bear them; and as a further inducement, these taxes were also recommended by the stipulation of putting a stop to the further accumulation of debt.

Here, then, were held out two compensations, — trade and economy; neither were to exist in promise, but both were to form part of your laws: accordingly, by the eleventh proposition, the surplus of hereditary revenue was to make up home deficiency, before it could be applied to the navy of Great Britain; and the English minister could not obtain Irish money, unless he became an Irish economist! Here was a self-operative principle of economy established; not in confidence, but in law; this was the idea of the resolutions; and even the commercial bill, which does in some measure betray that idea, stipulates for economy, and provides that this House should in future proceed by estimate, and that when Government exceeded, the excess should fall on the English fund. Thus the new taxes were to be accompanied with two compensations, — trade and economy: the first compensation is withdrawn. I do not inquire now whether the bill of the right honourable member was good or bad; I continue to

think it execrable; but certainly it was not the condition held out, or the trade that was offered in the original propositions. You have lost one compensation, the trade; and the question is now, whether you will lose the other, economy? When gentlemen agreed to the first resolution this night proposed, that it was necessary to stop the further accumulation of debt, I suppose them to have been sincere; that they meant it not as a vile excuse for granting new taxes, but as the principle of the grant. I enter into the spirit of that principle, and affirm that the best method of securing its operation is to vote the second resolution; for the mere and unqualified increase of taxes does not prevent, but rather encourages, the growth of debt, for it encourages the growth of expense; it is an amnesty to past, and a spur to future profusion; as if a father should say to his son, I will pay all your extravagance, by way of discouragement. This general observation applies to this country with peculiar force, because in this country there are peculiar causes of extravagance.

You have two administrations, that of Ireland, and that of Great Britain; and of course a double patronage, and a two-fold authority to load your establishment; moreover, you have no appropriation of funds in Ireland as there is in Great Britain; and not having a special, you should surely have a general limitation: again, we have no Irish cabinet; individuals may depresate, may dissuade, but they cannot enforce their principles; there is no embodied authority in Ireland.

Again, your Government constantly fluctuates; your Viceroys change every day; men of different parties and different principles, faithful to private engagement, but not bound to any uniform public system; again, you have no decided responsibility in Ireland; the objects of your inquest might not be easily found; in short, you have in this country the misfortune of a double administration, a double importunity, a fluctuating government, and a fugacious responsibility.

But, if you have any doubt whether, under these particular circumstances, the mere supply or growth of tax will prevent the growth of debt, turn to history. I have heard of a nation in a situation similar to your's at this very period, a nation, who, wearied and exhausted by a disgraceful accumulation of debt in profound peace, determined to put an end to the pernicious practice, paid off all her arrears, and raised her taxes to the estimate of her expences; but forgot one precaution, the precaution of checking the growth of expense, as one essential means of stopping the further accumulation

of debt. Behold the consequence! In eleven years she doubled her debt, and multiplied all her expences. You are that nation. You did, in 1773, agree to put an end to the pernicious practice of running in debt; you paid off five half years' arrears to answer that end; you raised your taxes above 100,000*l.* a-year to answer that end, and you took the minister's word for the further securing that object; and accordingly you have since that time doubled your debt, and you have besides borrowed above 700,000*l.* in life-annuities, and you have likewise added more to your expences than the estimated amount of the new taxes.

Figures are irksome to this House; I shall therefore present you with a picture of your race of expense; behold the map of your policy, delineated by a very ingenious man, with talents and accuracy.

See the chart of your credit, an evanescent speck just rising above the plane of the horizon, and then it drops; while your debt ascends like a pyramid, with an audacious defalcation, and almost culminates in your meridian. Midway of this mountain of debt, you will discern a line marking your effort to put an end to the practice of running in debt. It is not necessary for a man to read, it is sufficient for him to see, in order to refute the honourable and right honourable gentlemen on this subject.

From this experience, then, as well as from general principles, I would infer, that, if you mean to stop the growth of debt, it is necessary to stop the growth of expense. It has been said, this is making a covenant with Government to live within its income. I say it is so; and I add, that a nation giving to her government 140,000*l.* new taxes, has a right to insist on such a covenant. Talk as you please, she approaches you, on this occasion, with the authority and superiority of a creditor and benefactor; she is not reduced to supplicate, but warranted to demand economy.

Government made her own estimate of revenue and of expence; the nation left both to her discretion — say what you want, and you shall have it; but when you have got it, live upon it; — the commercial interest of this country is to be advanced; let us on that encouragement meet at once our domestic difficulties — a generous country pardons past profusion — come to an account with her — state your wants, and state your taxes. This was the idea of the Parliament; and the question now is, whether government is to be limited by all the revenues she held to be sufficient for all the expences she held to be necessary; in short, whether in ordinary years there shall be, in the kingdom of Ireland, any such thing as

limitation at all, in the management of the public purse? To so plain a principle of political salvation; to a principle so particularly applicable to a nation, governed by viceroys from another country — a principle rendered so necessary by the habits of importunity — a principle enforced by the experience of every year's debt, and admitted by the inward conviction of every man who hears me, what objection is made? What bar can you suppose is advanced? Would you believe it? Could any man conceive it? The objection is, that no Lord-lieutenant can bind or answer for his successors! Here is admitted that very jargon, that very disarrangement of council, that very irresponsibility of government, which we all lament, and on which gentlemen on the other side rely, and demand of you, for that very reason, to entrust the purse of the public to the faith of this discordancy of succession. We are not to impose restrictions by Parliament, because we cannot rely on the continuance or uniformity of the councils of Government. To private engagements, however expensive, faithful indeed! but with regard to public maxims, transient! Here is their argument! The infirmity of our situation, which should induce your caution, is gravely urged as the infallible argument against your interference.— Strange as this argument is, it yields in extravagance to another grave objection, which immediately followed it; an objection which affirmed that you ought not to limit your Government in its income, because its expences must rise. The very evil itself, the thing we dread! We fear their expences will rise — we fear the increase of your taxes will encourage those expences: we apprehend that Government will not meet us half way, so that economy on their side may aid the new grants on your's, and secure us against the growth of future taxes, and future debts. To quiet these fears, we are told, in perfect seriousness, that our expences must increase. You need not be afraid, you may be certain of the danger. This argument, which threatened us with an increase of our expence, is attended with another, which threatens us with the decrease of our revenue. What a strange image must those gentlemen have of the possible state of this country! And what a much more strange provision do they make for such a conjuncture! Your expences must increase, and your revenue may fail; and in contemplation of such an event, you ought not to limit your expenditure to your income. Eventful inability is urged as an argument against restraining the growth of your incumbrances, and the possible diminution of your expence. However, Sir, this prophecy, I imagine, has but little foundation, no more than

the argument gentlemen construct upon it: the revenue of this country must rise. You have taken care of that by your new grants; the wealth of this country must increase; nothing can prevent the growth of her riches but the growth of her taxes. I would ask those gentlemen, who omen the decrease of your revenues, was it not they who made the estimates, both of revenues and expences? And when pressed to limit themselves to their own estimates, do they now gravely tell us, that you cannot depend on either. It seems they rest the strength of their argument on the ruins of the credit of their estimates. In direct contradiction to this argument, but in opposition to this resolution, the same gentlemen, with the same conviction, affirm that the wealth of this country will increase most exceedingly. Here the prospect changes, for the sake of the argument, and instead of a declining, you are represented as a prosperous and rising state; your manufactures are to increase most exceedingly; but then your bounties are to increase also, and your revenues, by such a deduct, are to fall.

Gentlemen will not see that the increase of manufactures, the increase of export and of wealth, must have a general operation; and if they add to the charge of your bounties, must in a much greater proportion add to the revenues. No! say gentlemen, the increase of manufactures, the general sale of their goods at home, and a thriving export, are the natural causes of the ruin of the revenue. It seems, in Ireland, the revenues are destroyed by the wealth of the nation. From a position at once so ignorant and so ludicrous, gentlemen proceed to their great hold, the main strength of their cause, and exclaim, What! limit Government to its income the very year in which His Majesty's ministers have not applied for a vote of credit! I meet the strength of their argument. I say, yes, this very year. I waive the advantage I possess in the general principle, that in ordinary years the state should be restrained by its own estimates of expence and revenue. I waive the additional advantage I have in the application of this principle to the particular circumstances, habits, and dispositions of this country. I waive also the other sad advantage which my argument has in the experimental knowledge of the progress of your expence. I meet the gentlemen in the strength of their argument, and say, that we ought to limit the growth of expence this very year in which you have not been called upon for a vote of credit; yes, this very year, when we have granted above 140,000*l.* on no compensation but the hope to stop the growth of debt and expence; this very year, in which we buy economy by our taxes, or get nothing;

this very year, in which we perceive symptoms of a departure from that economy. See your accounts. On a comparative view of the estimates for 1786, with the expences for 1784, your civil list has increased above 23,000*l.* per annum; your military list has increased about 80,000*l.*, and your concordatum exceeding above 12,000*l.* Without a wish to criminate (for a question of this sort is too high either for reflection or panegyric,) I ask, are not these symptoms sufficient to induce this House, when it continues the new grants, in order to stop the growth of debt, to take some precaution to check the career of expence; the danger of adding to the pension list, of adding to the salaries of officers, and of such unavailing, heedless, and improvident donations. In the course of this debate, we are reminded and checked by another argument, that exclaims, Your bounties! your bounties! parliamentary grants, your public jobs; these are a great cause of the growth of your debt and increase of your expences, as if the public was eased, because the Government was not the only hand that heaped burden upon her back. What, are there then so many different causes? so many pretences, all combining to increase our expences? From hence, I argue for, and the gentlemen against, a resolution of restraint; the complication of disorders, it seems, to them, is a reason against the remedy.

I admire the unfeigned zeal with which those gentlemen espouse the cause of the manufacturers; but I cannot forget their discretion, when they, at the opening of the session, limited the sum to be granted to them, by a resolution which had restrained your grant, and precluded all manufactures which had not the last year partaken of the bounty. When these manufacturers, the objects of their compassion, are under your consideration, with great discretion and jealousy, they discern the necessity of putting some limits, by resolution, to that species of bounty; but when, afterwards, the same rule is proposed to be applied to themselves, when it is proposed to limit the expence of Government, No, say the friends of ministers, don't impose on us such a rule, or the absolute necessity of living within our income — pity the poor manufacturers — have some regard to the infant state of your country — don't preclude those various meritorious claimants, (whom they themselves have precluded already.)

Sir, that principle which Government applied to manufacturers, I would apply to themselves. I would have the obligation of economy to run along with the new grants; I would have it the preamble of the bill, and the annual condition of its renewal, that the secretary might carry in his pocket the

condition of the grant as an answer to solicitation; that he might say to the importunate, Sir, you have claims; your reliance on our economy gives you just pretensions to expect public money, but our hands are bound; here is the act of parliament. This would save the right honourable gentleman the fear of offending, and the trouble of thinking.

Sir, in the course of these objections, gentlemen have not forgotten to insist on the possibility of unforeseen exigencies, as a reason against an obligation on the Irish minister, in ordinary years, to confine himself to his own estimate of expence and revenue. I believe the English constitution does not warrant the objection; extraordinary emergencies (another word for reasons of state) should not be set up as a pretence for extraordinary powers in the Crown. This principle is peculiarly applicable to the case of money; therefore it was that ship-money was held illegal, though it was insisted that the Crown should have the power of levying money in great emergency; the same principle which condemns the practice of unforeseen emergency, in support of a latitude to lay the foundation of taxes without the consent of Parliament, by the reserved power of exceeding income.

Sir, this objection of unforeseen emergencies is peculiarly unseasonable now, because it happens to be falsified by His Majesty's speech from the throne, which felicitates his people on the prospect of complete tranquillity. Had gentlemen reason to apprehend any danger, foreign or domestic, war or rebellion, I suppose they would have taken some precautions; but I ask, what is there in the general complexion of the times? what is there, in your sequestered situation, to justify this pretence of unforeseen emergency — this affectation of state mystery? A latitude not for exertion, but expence. What wars have you to wage? what enemies have you to overwhelm? against whom do you point the thunder of your arms? No, your emergencies are of a different kind — the gentle solicitation, the fond importunity, and the kind reply on the subject of public money. These are your wars, these are your emergencies.

Who would have imagined to have seen, in the course of this debate, that faded cockade of the castle, *confidence*, advanced on the side of the Court — confidence in the Irish minister in the uncontrolled expenditure of Irish money? What, after all your experience, to prefer confidence to this resolution, requires, in my opinion, a most robust conscience, and a most infirm understanding. Desirous as we all are to pay every respect, and with every predilection in favour of our present viceroy, a young man of a very noble,

unsuspicious nature, exposed, perhaps, to much importunity, yet, who can answer for his continuance? This confidence then must extend to all his successors, whoever they be, of whatever cast, party, principle, or capacity — but even that won't do. This confidence must extend to all the secretaries of all the future lord-lieutenants. In the last seven years, we had seven lord-lieutenants and eight secretaries. The confidence must then be extended to the Lords and Commons of Great Britain, or rather to the King's commission, on a pure and perfect persuasion, that whom the King shall appoint, the Lord illuminates; and where the purse is bestowed, there is the virtue, and there is the economy. This will not do; it is not sufficient that viceroys should be gods — Irishmen must be angels, and importunity and solicitation cease; and in that event I submit to the force of the argument of confidence, as something not according to reason, but above it.

I have troubled you long; but before I sit down I must observe, that the success of your manufactures is much interested in this motion. Gentlemen are not to be informed, that the great commercial resources which Ireland possesses is not capital, but a comparative exemption from the weight of taxes. The increase of your expences must operate, therefore, as a diminution of your commercial resources, and not only increase the undue influence of the British minister in the Irish Parliament, but hinder the competition of the Irish manufacturer in his own market. The nature of the new taxes tends the rather to excite the apprehension, because some of these taxes are registers; taxes on licences to sell leather, soap, candles, &c. being in themselves of very small product, I fear them as a key to a more general taxation, and the more earnestly do I wish, therefore, to stop the growth of expence. I think this is a good opportunity; for I think the new grants give you a right to insist on establishing a great principle of economy. When we make new grants, let us make points for Ireland; and while we are generous to the Crown, let us pay some attention to the interest of the people. Do not let any man suppose that the point of stopping the further accumulation of debt is gained already, because you are not called on for a loan for 1786; the reason being, that you borrowed 200,000*l.* in 1785, and that you got one half year's produce of the new taxes. I make no doubt that the resolution, though rejected to-night, will have a good effect. The principle must be carried. Government must, at least, live within its income; but then it is to such exertions, and to the urging such resolutions, you must attribute such an event.

The resolution was opposed by the Chancellor of the Exchequer (Sir John Parnell) Mr. Burgh (Accomptant-general), Mr. Mason, Sir Hercules Langrishe, Mr. Molyneux, Mr. Brooke, and the Attorney-general, who chiefly replied to Mr. Grattan, and stated that the new taxes were his idea, and that he had voted for them. The right honourable gentleman says, we are subject to the extravagance of two courts, and that the Lord-lieutenant cannot answer for his successor; I am extremely sorry that experience has justified this last assertion. I lament that Ireland had, in one instance, the meanness and folly to suffer her councils to be influenced by English party, but I trust I shall never again be witness to a conduct so ruinous and disgraceful to my country. As to confidence, I well remember that no man possessed more confidence in Government than the right honourable gentleman, when, by a quibble upon the construction of an act of parliament, he was attacked upon the doctrine of simple repeal, he rested on the confidence in Government and the honour of the British nation.

Mr. Grattan observed:

Sir, the new taxes were not my idea, nor my measure. I originally deprecated the idea of payment to Great Britain; failing in that, I insisted that no surplus should go to England, unless the expences of Ireland were previously discharged; and on no other condition would I support the original resolutions. In that I succeeded: but there was a new resolution added — the resolution of the new taxes, which was not mine, and which I never knew of, and never saw, until I came into the House a few hours before it was mentioned. That resolution was not mine, but was forced in by others without my knowledge or consultation.

Sir, I deny the correctness of what the right honourable gentleman has asserted. I never reposed the rights of Ireland, as he has stated, on the faith of ministers — rested them on ministers or confidence! no such thing! I took parliamentary security; the faith of solemn national treaty; and I was warranted by the opinion delivered on that subject by the best lawyers in Ireland.

The question being put, there appeared in favour of the resolution, Ayes 73, Noes 149; Majority against the resolution 76.

Tellers for the Ayes, Right Honourable Mr. Conolly and Mr. Grattan.

Tellers for the Noes, Mr. Mason and Sir Hercules Langrishe.

PENSION LIST.

MR. FORBES PRESENTS A BILL TO LIMIT THE AMOUNT OF PENSIONS.

March 13. 1786.

ON the 6th, Mr. Forbes made a motion regarding the pension list, which, he said, amounted nearly to 96,000*l.*, and exceeded the pension list of Great Britain by several thousands, though the revenues, commerce, and resources of Ireland were infinitely less: this profusion had been the more wanton, because the minister had lately granted additional pensions to members of the House of Commons who were before dependent on the minister, by enjoying pensions during pleasure. He accordingly moved, "That the present application and amount of pensions on the civil establishment are a grievance to the nation and demand redress."

The motion was seconded by Mr. Brownlow: it was, however, negatived. — Ayes 70, Noes 128.

On this occasion, Mr. Grattan desired the pension list should be read, (which was done from the very beginning.) He then said,

I shall not make any other observation on what has passed than this: — when gentlemen seriously affirm, that pensions are not a grievance, and a wanton dissipation of the public money, I will meet them with this list. As to argument, nothing can be said in addition to what my hon. friend has urged, nor has any thing been said against it; and my reason for not giving a negative to his motion is, that should I affirm the pension list is not a grievance, I should affirm in the face of my country an impudent, insolent, and a public falsehood.

On this day, the 13th, Mr. Forbes presented his bill to limit the amount of pensions: it was received, and read a first time. On the motion that the bill be read a second time to-morrow, Mr. Mason moved, that the bill be read a second time on the 1st of August. This was supported by Sir Hercules Langrishe, Mr. Hewit, Mr. Burgh, Serjeant Fitzgerald, Mr. Beresford, Mr. Bushe, Sir John Parnell, Mr. George Ponsonby, and the Attorney-general, chiefly on the ground that it went to restrict the just prerogatives of the Crown, and that the influence of the minister arising therefrom had not affected the members of the House of Commons. By such a bill, said the Attorney-general, Government would be depressed to the state it had been after the vote of 1757, when

the House unanimously declared the pension list to be a grievance; the members then caballed together, and formed themselves into a party, against which Government could not go on; and to break down this aristocracy, it had cost the nation more than the pension list would for many years. It was supported by Mr. Curran, Mr. Forbes, Mr. Michael Smith, Mr. Corry, and Mr. Kearney. Mr. Forbes stated, that in two years the pensions had increased 16,000*l.*; that the committee of supply, in a former parliament, had resolved that Mr. Dyson's pension ought not to be granted; yet, when the session was over, it was paid on the authority of a king's letter: and if pensions increased in the proportion they had for the last twenty years, every member in both houses of parliament would be a pensioner.

Mr. Corry declared that the House could not trust to the economy of the minister; that confidence had made former secretaries declare, that our parliaments were, mean in their pursuits, greedy of office, negligent of public estimation, and ignorant of the affairs of their country; confidence in ministers is the state-prologue to the ministerial farce of every administration.

Mr. Curran, in a vein of great humour, dwelt on the imprudence of trusting to the minister; he said, "But we will find that this complaisance, this gentleness between the Crown and its true servants, is not confined at home; it extends its influence to foreign powers. Our merchants have been insulted in Portugal, our commerce interdicted; what did the British lion do? Did he whet his tusks? Did he bristle up and shake his mane? Did he roar? No; no such thing — the gentle creature wagged his tail for six years at the court of Lisbon, and now we hear from the Delphic oracle on the Treasury bench, that he is wagging his tail in London to Chevalier Pinto; who, he hopes, soon to be able to tell us will allow his lady to entertain him as a lap-dog; and when she does, no doubt the British factory will furnish some of their softest woollens to make a cushion for him to lie upon. But though the gentle beast has continued so long fawning and couching, I believe his vengeance will be great as it is slow, and that that posterity, whose ancestors are yet unborn, will be surprised at the vengeance he will take.

"This polyglot of wealth, this museum of curiosities, the pension list, embraces every link in the human chain, every description of men, women, and children, from the exalted excellence of a Hawke or a Rodney, to the debased situation of the lady who humbleth herself that she may be exalted. But the lessons it inculcates form its greatest perfection; — it teacheth, that sloth and vice may eat that bread which virtue and honesty may starve for after they had earned it. It teaches the idle and dissolute to look up for that support which they are too proud to stoop and earn. It directs the minds of men to an entire reliance on the ruling power of the state, who feeds the ravens of the royal aviary, that cry continually for food. It teaches them to imitate those saints on the pension list, that are like the lilies of the field — they toil not, neither do they spin, and yet are arrayed like Solo-

mon in his glory. In fine, it teaches a lesson, which indeed they might have learned from Epictetus — that it is sometimes good not to be over virtuous: it shews, that in proportion as our distresses increase, the munificence of the Crown increases also, and in proportion as our clothes are rent, the royal mantle is extended over us."

Mr. GRATTAN said,

Sir, the gentlemen who have urged the most plausible argument against the bill have not taken the trouble to read it; they say, that it gives up the controul of Parliament over such pensions as shall not exceed the limits of the bill: no such thing: your controul cannot be given up without express words, but here there are express words to save it; here, aware of such a pretence, and that no colour should be given for such an objection, the preamble states the nature of the pensions which are to have any existence at all, "such as are allowed by Parliament." This objection being answered by the bill, I must advert to another, which has nothing to say to the bill.

A right honourable member has declared the bill to be the most exceptionable that ever came into Parliament; and his reason for this most extraordinary declaration is most singular indeed, "because it restrains the ministers of the Crown, and leaves the pension list open to both Houses of Parliament." From thence he infers that a practice of profusion will ensue, and from hence you would infer that the pension list was not now open to the addresses of both or either of the Houses of Parliament; but the fact is, that the evil he deprecates now exists: that the bill does not give, but finds and leaves a power to both Houses of Parliament to address on such subjects. As the matter now stands, both or either of the Houses of Parliament may address for such charges, and the minister may also impose such charges with such addresses. You are thus exposed to the two causes of expense,—the power of address in us, and the unlimited power of pensioning without address in the minister; and the right honourable gentleman thinks you will increase profusion by removing one of its causes; the principal cause, the notorious cause, the unlimited power of the minister, the most constant, operative, and plentiful source of prodigality. In the same argument he adds, that the power of Parliament, in disposing of the public money, ruined this country, when there was a redundancy in the treasury, by serving the purposes of a jobbing aristocracy. According to him, then, the greatest evils which can befall this country are, a surplus in

the treasury, and a restraint on the prodigality of the minister. A prosperity which produces redundancy, and a constitutional bill which restrains the unlimited grants of the Crown, is his receipt for the ruin of Ireland. In the course of this argument, my right honourable friend has spoken of economy. Sir, a friend of mine the other night moved a resolution on the principle of economy, "that your expense should not exceed your income:" his motion was founded on an obvious maxim, that, in ordinary years, a government should be restrained by its own estimate of expense and revenue; his motion was rejected on two idle arguments: that unforeseen emergencies might arise, was one argument; but neither the complexion nor situation of the times warranted the apprehension of danger, and therefore the argument, if it had no corruption in contemplation, was fictitious and idle. The other argument against my friend's motion was, that the maxims of economy were adopted already by the present administration. On what foundation, fact, or authority, such an argument was advanced, the catalogue of pensions can best determine. Those pensions are not words but facts. I always conceived that the public treasure was, like the people's liberty, to be guarded rather by law than confidence, and I thought the new taxes a good opportunity for establishing such a safeguard. I thought that such a confidence, without such a safeguard, would encourage administration at last into acts of profusion; but I could not think the act of profusion would accompany the professions of economy and the grants of the people. I could not foresee that peculation would attend the birth of the tax. I will consider this peculation, or the new catalogue of pensions, and then the bill — first the grievance, then the remedy.

See how this grievance will naturally affect the people: they will, perhaps, be inclined to think that they see in such a measure the old school revived, — the old spirit of plunder renewed, when Government in Ireland was nothing but the division of spoil. They will remember that they have given new taxes, and that they have not received the commerce which was, I say, promised, or the economy which was professed; in short, they will see that you have gotten their money, and have given them, as compensation, a new list of pensions.

See how this grievance may affect the British Government: when the British minister sees that he has incurred the odium of the new taxes and of their misapplication, he will naturally expect that his influence at least is augmented; but when he finds that he has added nothing to his power, he will lament

this attack on his credit. The British Government will recollect, that, to remove the causes of discontent and jealousy in Ireland, Great Britain surrendered her assumed supremacy. Perhaps that Government will not think itself well used in the present attempt to revive Irish jealousy, by the unnecessary peculation of their servants in Ireland.

See again how this grievance affects the Irish ministry. Why give Ireland a grievance for no object on earth, but to lessen the credit of the Irish Government? Gentlemen speak of reflection, — that catalogue is the reflection. You cannot conceal, nor justify, nor extenuate: your connivance would be aggravation. The name of His Excellency has been introduced to sway debate: his friends come in too late to serve him on this subject; they should have dissuaded him from giving the offence: they should have told His Excellency, that his list of pensioners would be prejudicial to his fame, and was unnecessary to his support; that the profit went to others, and the scandal to the Government.

While I protest against this measure, as a most disinterested act of profusion on the part of Government, and therefore as an act of the most superlative folly, yet will I say more of His Grace the Duke of Rutland; more than his own servants have said of him: they have said of him on this subject, what is ever said, that he is a Lord-lieutenant in the right; I say he is an honest man in the wrong, which is better.

Having stated the grievance, as far as affects the three interests concerned, I shall consider the defence; and first, it is advanced, that the pension-list of Ireland is comparatively small, — small, if you compare it to the royal establishments of England, or other countries.

I directly controvert that position; it is comparatively great; for it is this moment equal to the pension-list of Great Britain. Compare it to your hereditary revenue, and it is above one-third of the net produce of that revenue; and in the course of thirty years it has increased more than double. Another argument advanced in its defence, tells you that the new pension list, or the last catalogue, is small; Sir, it is greater than the produce of your new tax on hawkers and pedlars. Why continue that tax? Because Government could not spare it. Why waste that tax? When I see the state repose itself on beggars, I pity and submit. But when I see the state give away its taxes thus eviscerated from the poor; when I see Government come to the poor man's hovel for a part of his loaf, to scatter it; when I see Government tax the pedlar, to pamper the pensioner, I blush for the ex-

tortion of the state, and reprobate an offence, that may be well called prodigality of rapine.

Sir, when gentlemen say, that the new charge for pensions is small, let me assure them they need not be alarmed; the charge will be much greater; for, unless your interposition should deter, what else is there to check it? Will public poverty? No. New taxes? No. Gratitude for those taxes? No. Principle? No. Profession? No. The love of fame, or sense of infamy? No. Confined to no one description of merit, or want of character, under the authority of that list, every man, woman, and child in Ireland, have pretensions to become a public incumbrance; so, that since Government went so far, I marvel that they have stopped, unless the pen fell out of their hand from fatigue, for it could not be from principle.

No, Sir, this list will go on; it will go on, till the merchant shall feel it; until the manufacturer shall feel it; until the pension list shall take into its own hand the keys of taxation; and instead of taxing license to sell, shall tax the article and manufacture itself; until we shall lose our great commercial resource, a comparative exemption from taxes, the gift of our poverty, and get an accumulation of taxes to be the companion of our poverty; until public indignation shall cry shame upon us, and the morality of a serious and offended community shall call out for the interposition of law.

As a further defence of this grievance, it is said that the House of Commons have from time to time addressed for pensions, and contributed to the incumbrance. If those addresses were improper, Government was guilty of covin, in not opposing the addresses in Parliament; and the argument then proposes an emulation of reciprocal expense, and the exhortation to mutual rapine. If, on the other hand, these addresses were proper, the argument amounts to this, that there are many necessary charges on the pension list, therefore there should be more that are unnecessary; and the greater the public charge on the revenues, the greater should be the misapplication. In the same spirit, gentlemen have relied on bounties, and the scrambling committee. The fact, however, is, that the corn bounty is greatly diminished, and the scrambling committee is extinct; but suppose the fact to be otherwise, what is the argument, but a proposal to Parliament to have the nation a victim to jobs on the one hand, and to pensions on the other.

In defence of this incumbrance, it is further advanced, that

old quality should be supported. Admitted, — I have no personal dislike to any individual of the new catalogue.

I have for some great respect and love. The first name did honour to the chair, and is an honour to the Parliament that provides for him. As to old quality, why not bring back the great Irish offices now in the hands of absentees, and give old quality great places instead of little pensions! Again, why the one under that description considered so late, and the other so little? But is the merit of four or five of this catalogue the qualification of nineteen, unless qualification, like the plague, is caught by contagion.

Sir, in so very numerous a list, it is almost impossible that some meritorious persons should not have been obtruded; and yet, in so numerous a list, it is astonishing there should be so few of that description. One pension of that description I well remember; it suggests to me other considerations than those which such a list would naturally inspire — I mean the pension to the family of the late Chief Baron. I moved for that pension; I did it from a natural and instinctive feeling: I came to this House from his hearse. What concern first suggested, reason afterwards confirmed. Do I lament that pension? Yes; because in it I lament the mortality of noble emulation — of delightful various endowments — and, above all, because I feel the absence of him who, if now here, would have inspired this debate, would have asserted your privileges, exposed the false pretences of prerogative, and have added one angelic voice to the councils of the nation.

Having considered the pension list as a grievance, I shall now trouble you with some observations on the remedy, namely, the bill which my friend proposes on the spur of the present expense, grounding himself on the example of England. In opposition to this bill, some gentlemen of this House have come forth in the rusty armour of old prerogative, and have stated this attempt to reform abuses by bill, as an invasion of the sacred rights of the Crown. Sir, I apprehend that Parliament may, and ought to remedy abuses, even though they are not in themselves illegal. On this principle it was that the judges' bill was passed; on this principle the habeas corpus bill in Ireland was passed; and on this principle many of the best laws in England have passed. Abuses which obtain under colour of law, are best rectified in Parliament.

When the Commons of England had returned to their House, from a decisive answer given by Charles I. to the petition of right, they began to consider the state of the nation in all the various management of the King's prerogative; a message was delivered, through the Speaker,

from the King, to admonish them not to cast reflections on his government, or to enter into the affairs of the state. Sir Edward Coke observed, on that message: — "It is the business of this House to moderate the King's prerogative. Nothing which reacheth to abuse, that may not be treated of here." This principle is particularly applicable to cases of money, over which you, by special privilege preside; and still more applicable to cases of your own revenues, because they are appropriated. A right honourable member has contradicted this; he says, that however the new customs and excise may be appropriated, yet that the old customs are under no appropriation whatsoever; and he says, further, that formerly the King had a right to them by common law; and he states, that they amount to 200,000*l.* per annum; but the right honourable member is not warranted, either by the laws or constitution of his country, in the doctrine which he has ventured to advance. Charles I. thought, indeed, like the right honourable member, that the King was entitled to tonnage and poundage by common law; but the Parliament of England differed from both, and resolved such levies to be illegal, and the persons who, thinking like the member, had been concerned therein, to be delinquents: nay, the old customs to the King make an exception; and the qualification of a grant in any degree, usually bespeaks the poverty of the grantor; the member, therefore, seems not to have adverted sufficiently either to the statute law or the constitution of his country. The statute of Charles II. which grants the new customs, and which also the member does not appear entirely to understand, seems to consolidate the new and old customs, and appropriate both to one and the same purpose. After reciting the old grant, and establishing a common book of rates, it says, "And for the better guarding and defending of the seas:" and then it proceeds to grant the new customs: The words "better guarding the seas," bespeak the appropriation both to one and the same purpose, and is a term of connection between the old and new customs, making them a common fund for the defence of the seas. But I might yield all this; I might allow that the hereditary revenue is not appropriated; that the act of customs does not mean the guarding the seas, nor the act of excise, the pay of the army. Yet is the hereditary revenue the estate of the nation, of which the first magistrate is but a trustee for public purposes. It is not the private property of the King, but the public revenue, and any diversion thereof is a crime. The great Duke of Buckingham was impeached for such a crime; one article of his impeachment was the grant of

several pensions to himself and his friends out of the revenue, and one criminal pension in the schedule was a charge on the old customs of Ireland. At an earlier period the Duke of Suffolk was impeached, and one charge was the grant of pensions to himself and his friends. At an earlier period, in the reign of Richard II., an Earl of Oxford was impeached for grants to himself and his friends: the crime is called interception of subsidy; whereby the realm was left undefended, and grants (like your's) for the defence thereof, wasted on individuals, while the people were doubly taxed, (as you are,) to make up the wanton deficiency.

Thus does it appear that, in cases concerning pensions by prerogative, the Commons have interfered; though prerogative in those cases might plead that the revenues out of which these grants arose, were wholly unappropriated; but a public grant appropriates itself to the public use; and the parliament that proceeds either to punish, or to controul the diversion thereof, does not invade the prerogative of the Crown, but exercises the privilege of the Commons, in guarding the inheritance of the nation. In reforming such abuses, you may proceed in your inquisitorial capacity, as the greatest inquest of the nation, by impeachment, or in your legislative capacity, by bill; the latter is the milder method; my friend adopts it, and proceeds rather to reform than to punish. You tell him that we have submitted to this grievance for a long time. It is true, but a course of toleration and impunity neither constitutes innocence, nor draws out the sting of a grievance; it is true, you have submitted to this grievance for a long time. Hence the many erroneous arguments of this night. The public inheritance has been so diverted to private purposes, by a series of ministers, that we have forgotten the proprietor in the misapplication of the property, and talk of the estate, as of the private patrimony of the King. Hence these prerogatives of rapine! these rights of plunder! the authority of the King, to be robbed by his own servants, of the common stock! Hence it is, that gentlemen have set up the shadow of prerogative as a centinel to public robbery.

When gentlemen call this bill an attack on the prerogative of the Crown, they are answered by the principles of the constitution; but they are also answered by a precedent of the most decisive nature; and that precedent is this very bill, which is now the law of England. By the law of England no pensioner for years, or during pleasure, can sit in Parliament; and by the law of England the amount of pensions

is limited. The first law passed at the time of the Revolution, and was improved in the reign of Queen Anne. The latter passed in 1782, with the entire concurrence of these very persons who now constitute this administration; and yet the argument of prerogative would have been stronger in England, because there a civil list had been granted to the King, and the subsequent limitation of pensions on that list seemed a revocation of the powers of the grant. On what authority then, or pretence, do gentlemen call a measure which they supported as necessary for England, an invasion of the rights of the Crown, when proposed for the benefit of Ireland? What pretence have they for such partial doctrine of unequal measure? As if that was infringement in Ireland, which in England was constitution; or, as if what was moderation in the people of England, would be in those of Ireland arrogance and presumption.

This leads me to another objection on which gentlemen much relied, that this bill is an innovation — a new constitution; to admit the undue influence of the Crown in parliament, and to controul the excess of expence — an innovation! It is an encroachment most certainly, an encroachment on corruption, an invasion on the ancient privileges of venality; it is the old constitution encroaching and innovating on long established dishonest practices and accumulating expences. All these expences and practices, it seems, we have already sanctified; we voted, the other night, that neither in their excess or application were they a grievance. Sir, I will not presume to censure a vote of this House, but I may be permitted to explain that vote. We could not mean, by that vote, that the present pension list was no grievance, for there was no man in debate hardy enough to make such an assertion; no man considers what that pension list is; it is the prodigality, jobbing, misapplication, and corruption, of every Irish minister since 1727. To say, that such a list was not, either in its excess or application, a grievance, was to declare, that since that period (that is above half a century) all your ministers were immaculate, or rather, indeed, that God had governed you himself, and had never sent you a minister in his anger.

I declare I could not affirm the innocence of this list, because I should be guilty of affirming what I conceive to be false. Do gentlemen think otherwise? Let them take their catalogue in one hand, and place on their heart the other; let them look this nation in the face, and in that posture declare that the present Irish pension list is not, either in its

excess or application, a grievance! They could not do it; they have voted what they would not say. I dissented from their vote, but I went along with their conviction.

On the question being put, that the second reading should be deferred to the 1st of August, the House divided; when there appeared, Ayes 134, Noes 78; Majority 56.

Tellers for the Ayes, Mr. George Ponsonby and Mr. Serjeant Fitzgerald. Tellers for the Noes, Mr. John Forbes and Mr. Burgh.

SPEAKER'S SPEECH.

March 21. 1786.

ON this day, the Speaker presented the money-bills to the Lord-lieutenant, at the bar of the House of Peers, when he delivered the following speech:

"May it please Your Grace,

"The expences of this kingdom had for a series of years, as well in time of peace as war, constantly exceeded its revenue, and debt increased on debt.

"Where such a system is suffered to prevail, manufactures must at length give way, trade will decline, and agriculture cease to produce wealth or plenty. The Commons, therefore, in the last session, wisely determined to put a stop to so ruinous a system; and, with a spirited attention to the true interests of their country, and the honourable support of His Majesty's government, they voted new taxes to increase the revenue of the year, in the sum of 140,000*l.*

"The effort was great, and the event has proved its wisdom; no further addition is now wanting; no loan or act of credit is necessary; a situation unknown to this kingdom for many sessions past, and marking with peculiar force the happy era of Your Grace's administration.

"Animated by this success, and determined to persevere in the principle of preventing the accumulation of debt, His Majesty's faithful Commons have in this session continued the same taxes, and granted all the supplies that were desired, to the full amount of every estimated expence; nor have they omitted, at the same time, to provide for the speedy reduction of the national debt, by a considerable sinking fund; and to continue to the agriculture, the fisheries, and the rising manufactures of the kingdom, the bounties necessary for their support.

" Great as these taxes are, they are liberally and cheerfully given, in the most firm and full confidence that, from Your Grace's experienced wisdom and affection for this kingdom, they will be found effectually to answer the end proposed, of supplying the whole of the public expence, and preventing any further accumulation of debt."

POLICE BILL.

March 22. 1786.

ON the 17th, the Attorney-general (Mr. Fitzgibbon) obtained leave to bring in a bill for the better execution of the law in the city of Dublin and parts adjacent. On the 20th it was received and read a first time; the Solicitor-general (Mr. Carleton) then proposed that it should be read a second time the next day, that it be printed, and committed on the third day ensuing.

Mr. GRATTAN said: I shall give no opinion on the bill on hearing the reading of the abstract, but I have no confidence in either the declarations or consciences of administration, and shall only observe, that this bill is certainly a new constitution for the city of Dublin. If it does not require consideration, why in the same breath move to print it for consideration? It is a blunder to bid us consider, and not allow time for it.

It has been said, gentlemen ought not to have gone to the assizes; yet if gentlemen chuse to attend them, it is hard on the people, if, in their absence, a measure of such importance is brought in when their advice and assistance is wanted. His Majesty's ministers and servants are men of ability and integrity; they should have brought on this matter earlier. If you postpone the consideration of the bill until after the assizes, you will do right, and remove all cause of suspicion, and show you act candidly. By some misfortune or other this subject has not been brought on earlier, but is now in a thin House; if you wish to satisfy and secure the police, you will give time to consider a bill of such singular delicacy: if you will bring it on, let it be printed, let it go forth. There are a great number of new establishments. It is impossible to consider the influence and consequence attendant on the bill in a short time.

On this day the bill was read a second time, when a motion was made that the bill be now committed.

Mr. GRATTAN said: No one will say that a good police is not a good thing for the city of Dublin; no one will say that a good police is not a good thing for the city of London or Paris, or any other city; but I deny that, under pretence of preserving the peace of the city, we should destroy its independence.

This bill is a bill of armed patronage, and as such, I will oppose it in every stage: I think there was no difficulty in forming a bill upon the principles of the constitution, that would have effected every good purpose proposed by the present bill: in a very few days I think I could prepare one which would not attack the rights of the city, or grant this very formidable patronage to the Crown.

I trust my right honourable friend (the Attorney-general) will excuse me, should I animadvert on a bill drawn by him, which contains matter of such extraordinary magnitude as in my opinion requires little apology for investigating their merits. It is impossible I can therefore speak decisively on a subject which I have been denied time to study, and I hope, if in stating some of the principles of it, I should fall into any thing desultory, that I will experience the indulgence of the House.

My motive for entering at this period into any investigation of the subject, is, to prepare gentlemen for what they have to encounter; and as the subject has, indeed, with uncommon indecency been hurried through the House, I think my humble abilities are never better employed than when I am exposing the fallacy and deceit conspicuous in every part of a bill the most obnoxious and alarming that ever perhaps arrested the attention of an Irish senate. The great arguments, in my opinion, in favour of this bill are not only weak, futile, and absurd, but they confute what the advocates of the bill would wish to support, — the necessity of carrying the matter into immediate execution. Why so? because of the disturbances in the country and this city: no man perhaps regrets these circumstances more than I do, but I cannot coincide with gentlemen who say they are forced to apply any thing rather than suffer these outrages to go on further.

If any person has a right to rail against the proceedings which have formerly happened, I am he. I had particular knowledge of the disturbance of those days, and I found, in consequence of a letter I had written to the lord mayor, that he was competent to quell the misguided tumult, and protect my person; were it not even the case, I solemnly declare, that, as an individual, I would rather fall the victim of infatu-

ation, than to be the occasion of destroying the liberty of my country.

I would ask gentlemen, if they think it right to infringe charters to preserve the police of the city? an infringement undeniable as unnecessary, since you take the power out of the hands of the lord mayor, whose power is certainly sufficient to preserve order and regularity, to place it in the hands of a banditti, in whom the people can have no faith. What a lame, what a ridiculous pretext, to say the disturbances that have happened years since will warrant so unconstitutional a proceeding! If gentlemen look into the cause of those riots, they will find it not to be attributed to the giddy minds of the populace, as I am well-founded in my belief that these unfortunate men were the objects of delusion. But I would ask, what are our riots compared to those of London? Nothing; and yet we hear of no police bill there of such a nature as this before the House. I own outrages in a free country are lamentable, but what we have experienced is not sufficient to give sanction to a law the most infamous that ever dared to face a free Parliament.

This police bill does nothing; it is wisely brought in to correct abuses which have happened, and which are now obliterated from our memory. What feasible scheme then, for bringing in a bill for the improvement of the police of Dublin, at a period distinguished for being peaceable? Throw off the mask, and declare the real intent of this bill, — a bill of patronage, and not of police. What does it do? why, truly, it gives pensions to the aldermen of Dublin, to reduce to a state of tranquillity the county of Cork.

From this bill we learn that there are to be a numerous establishment of places: if these are eligible for members of Parliament, I call on you to consider your independency. I know some of the salaries may be small; but ministerial favours vegetate in the sunshine of a court, and grow into consequence, as the minister requires the support of venality to push a favourite or an obnoxious measure.

On the other hand, if a diminution of salaries may be thought requisite, these commissioners and their armed tribe may make themselves members of parliament, and set up a little commonwealth of their own, to the great disappointment of those who have vested them with extensive and unconstitutional powers. It will operate well in an aggregate or magisterial capacity, for administration to have a number of men at their beck; perhaps Government may have occasion for them.

The great alarm that has been sounded in respect to the police of this city, does not proceed from the want of salutary laws: it proceeds from the want of putting these laws into execution. Let us see, how do you supply that want? why, by giving pensions to magistrates, who, in time, may grow into the consequence of members of Parliament, and make up for their deficiency of conduct in a magisterial capacity, by giving their vote to their honoured patron. I do not say but such a vote may be of service to a minister; but this much I can with safety pronounce, that it will not be an honest one.

The objection to the aldermen of this city has often been, that they have been too courtly; to remedy which evil, the sagacious framers of this bill intend to make them the dependents of the Crown. Thus the treating the corporation of the board of aldermen to pensions will be inducive to the support of their laws; their feelings will keep in unison to the dictates of their patron; and their gratitude, when he pleases to command, will be kindly obeyed. When I mentioned patronage, I was smiled at by the gentlemen on the other side of the House. I confess I see no reason why we should indulge in merriment, when the money of the public is on the verge of being prostituted to the vilest purposes. Thus the magistrates become the creatures of a minister: I would advise him to parcel them out certain portions of the city, and let them receive a daily pay. If they must receive salaries, let the patronage not be in the hands of the Crown.

The law also determines you are to have constables, &c. to be constantly kept up. The appellation of magistrates, commissioners, and constables, are applied to cover and disguise the intent of embodying this armed banditti: surely it is not giving an army a name that causes them to lose their nature. No, Sir; this is positively an army in the state, and the misapplication of a phrase cannot remove the idea, that it approaches too near an arbitrary government to have an armed rabble under the influence of the Crown.

The name of this army may be softened by calling it a militia; but certainly it differs widely from a militia, which is qualified by regular discipline to protect the country in time of war; but the army in negociation has no qualification, save only being the assassins of liberty, feeding on the vitals of the constitution, and pensioners of the state.

The common men of a regular militia live, in time of peace, by their labour and industry, the officers by their lands. Now see the difference. On the reverse, we are to have a mercenary army, paid by the minister, and differing only from the military, because they will come to those meetings from which

the soldiery, with becoming decency, would retire. You knew the indignation of the House would be roused, had you avowed the principles of your tumultuary army, your mercenary army, your ministerial army.

Now, Sir, I am far from thinking that charters are to be destroyed, either for the caprice of a minister, or the good of the police. I see in too many instances the influence of the court extended to the entrenching the charter of this city. I would ask what has made the right hon. member (Mr. Orde), opposite me, a minister, but the violation of a charter? I therefore must laugh at the man who supports the charter of the East India Company, and thinks the ancient charter of Dublin, granted in the reign of King John, not worth his attention.

You now, Sir, introduce a bill for the purpose of debauching her magistrates, and dragooning the subject; you are not content with taking from them the paving board, &c.; but you think the mischief is not complete, if their charter does not fall a sacrifice to your desires. The destruction of their charter is evidently in contemplation, from the power which this bill gives the Lord-lieutenant to appoint county justices to co-operate with those of the city. If you admit other magistrates to participate of the privileges of the magistrates of this city, it is a certain violation of charter. In such a case, I should be glad to know what will become of the lord mayor and sheriffs: are they to remain mere cyphers, a badge of violated charter, or a memento of the virtue of the present glorious administration?

So much for the bill. (*Read a clause.*) In this clause you enable the constable, under a warrant of information, to break into any house he pleases. Will gentlemen say, this is a preservation of the police? (Here he entered largely into that part of the bill which mentioned, that no action of trespass was to lie against any violation committed under the act.) No modification whatever can reconcile me to the patronising that clause; for the warrant of the commissioners to a petty constable in this army, is more sacred and gives more power than if he was acting under a warrant of the Court of King's Bench; and is it wise or prudent to give such power to such nefarious miscreants? and by the clause no appeal is to lie, but from one pensioner to another. I call this a bill of power; a bill of patronage, more, much more than a bill of police: though it may pass now, the people will not bend to it: they will unanimously call for a repeal of this law; it is such, I pronounce, as cannot be reconciled to the constitution of a free country. Do not, I beseech you, precipitate this measure;

I have no object for presuming to give this advice but the public good. If the people are against it, it will cause infinite trouble. The right honourable gentleman on the floor seemed to scoff at the idea of my introducing a bill that would serve the police without violating the constitution: the task I am far from thinking a difficult one, but I confess, if I were to blend patronage with police, it is not an easy task to accomplish; I therefore, in the name of the people, call on the advocates for this alarming bill, to let it have the presence of a full Parliament, and let, if possible, the approbation of your country, and the final decision of this bill, go hand in hand. I therefore now move you, that this bill be committed for the 1st day of May next.

Sir Edward Crofton, Mr. Hartley, Mr. Griffith, Mr. Conolly, Mr. Forbes, and Mr. M. Smith, opposed the bill, on the ground of its unconstitutional tendency, from the manner in which it was proposed to hurry it through the House. It was supported by the Attorney-general, Mr. Beresford, Mr. Denis Daly, Mr. Bushe, Mr. Warburton, the Secretary of State (J. H. Hutchinson), Mr. Denis Browne, Sir Boyle Roche, and Mr. Godfrey Greene.

Mr. Grattan's motion was negatived. Ayes 37, Noes 139.

Tellers for the Ayes, Right Honourable Mr. Conolly, Rt. Honourable Mr. Grattan.

for the Noes, Right Honourable Mr. Daly, Mr. Stephen Moore.

It was then agreed, that the bill should be committed on the 27th.

March 25. 1786.

ON this day, the House went into a committee on the police bill; previous thereto, a petition of the freemen and freeholders of the city of Dublin, agreed on at a public meeting, and signed by the sheriffs, was presented to the House. The Attorney-general (Fitzgibbon) said, that if any argument was wanting to prove the necessity of the bill, it was the frequency of those tumultuous assemblies called aggregate meetings: the bill went to restrain licentiousness, and to teach those citizens a due deference for the laws of their country.

Mr. GRATTAN. The speeches of some of the gentlemen of the other side of the House are a lampoon upon the city. Who composed the meeting of the citizens this day assembled, I know not; but this I do know, that we are not entitled to despise them.

The city of London petitioned against that very police bill from whence this was taken: a bad bill, but better than this. The bill was dropped accordingly, and the petitioners respected. To the strength of this precedent we are answered, that the body from whence the London petition came was most respectable. Thus, the distinction is made to exist in the contempt which you are advised to entertain for the city of Dublin. This is the argument: the Commons of England paid attention to the petition of London, because the body was respectable; and the Commons of Ireland would pay no attention to the petition of Dublin, because her citizens are despicable! Sir, we have been told more: it has been intimated that the petitioners have been the rioters of the last year, and enemies to the execution of the law. Sir, when I see a petition purporting to be that of the freemen and citizens of Dublin legally convened, signed by their sheriff, and introduced by their representative, I am not warranted to suppose that the petitioners were a set of criminals: when their petition speaks of constitutional or political freedom; I am not justified in supposing that they mean any thing more than the natural import of those intelligible expressions. That the London petition was the act of the corporation, and that this petition is the act of the freemen and citizens, is in my mind no reason for refusing counsel to the latter, as if the freemen and citizens of Dublin, whose rights are affected so deeply by this bill, had nothing to say to it; as if the corporation of this city was the only thing affected, and that all the citizens and inhabitants of the metropolis had no interest or franchise in the city of Dublin.

That the corporation has not petitioned, seems to me no argument, because they could not conveniently read and examine the bill, and then have appointed a meeting sooner than Monday; but they have appointed a meeting, and a meeting within a reasonable time: the result we cannot foresee; but I think we might wait. — Hear the citizens; — they have petitioned with modesty, and should be treated with decorum.

The House then went into a committee. It was there proposed that the commissioners appointed by the bill, should not be allowed to sit in parliament. This was opposed by the Attorney-general, and negatived. On the clause, empowering the Lord-lieutenant to appoint the commissioners, and that the commissioners only shall sit, Mr. Grattan moved an amendment, that they should sit by *rotation*; this was opposed by the Attorney and Solicitor-general (Mr. Carleton,) who entered into a discussion on the preroga-

tives of the Crown, which, he contended, would be affected by the proposed amendment.

Mr. GRATTAN. I know very well, that by the constitution the King appoints magistrates, so does he grant charters, and yet neither charters or magistrates are liable to be cancelled or deprived by him. And this independency has proved, in many cases, of the last good consequence. Now this bill brings chartered magistrates to that very dependency — dependency for salary, which is a dependency in the execution of their office. The controul of the Crown is another word for the controul of the minister. The honourable member tells us, that the sheriffs may be suspended who are not chartered; but he says also, that it is a good abstract proposition, that magistrates should be removeable by the Crown: that doctrine would go to destroy all chartered magistrates, and indeed it goes against charters themselves. It would render the execution of the law, in every place or city whatsoever, dependent on the will of the Crown, that is, on the minister. Do you imagine the magistracy of this city would derive respect from a dependency on the pleasure of that right honourable gentleman who sits on the floor? It is objected, that rotation-magistrates must be paid as well as those commissioners; but here is the difference — they would be paid of course for labour, and not at pleasure; they would be paid, not *influenced*. It is further objected, that some of them may be exceptionable; and Mr. Greene, the late lord mayor, has been mentioned, and a resolution against him read; but that argument would prove too much, if it proves any thing; for it would prove, that he ought not to be a magistrate at all; and that a man who comes under the displeasure of this House, should be no longer an alderman. When you condemn rotation-magistrates, will you answer for your own ministerial magistrates? Or will you say that these ministerial magistrates, under this bill, will be better acquainted with the business of the city? They are to be confined, says an honourable member, to their district; they are to make their duty their daily labour, and to be entirely employed in taking up thieves; and yet it is urged, that they ought also to be members of this House, and employed in doing the business of the nation; they also, it is said, are to be under the controul and scourge of the King's Bench in the execution of their executive office as magistrates, and may be responsible to the people in the higher situation as members of parliament. In this confusion of responsibility and diversity of occupation, I do not discover an attention either to the dignity of parliament or the peace of the city.

The numbers of horse and foot under the command of the commissioners are to be forty men, which proves the bill to be a bill of patronage; and the commissioners who are to command this body, and the magistrates, and the whole establishment, are to be appointed by the minister; and an honourable member gives this reason — they ought to be men in whom the Crown may place a confidence, that is, the magistrates of the city of Dublin ought to be men in whom the secretary shall place a confidence — a confidence that they will act for him in a political as well as magisterial capacity; will be his friends in aggregate meetings, his friends in all corporate meetings, and support him with their votes and influence in the capital.

The speech of the honourable member is singular and unprovoked. He intimates, that I do not understand our laws; but let me tell that lawyer, that I understand the laws of my country enough to defend the rights of my fellow-citizens against him or any other crown-lawyer; and allow me to tell him, there is a vast difference between the knowledge of the practice of the courts, and a knowledge of the constitution. The lawyers of the Crown are not, on constitutional subjects, the highest authority. Mr. Noy, the law-officer of Charles the First, framed and supported the writ of ship-money — and was an excellent crown-lawyer.

The twelve judges of England declared ship-money to be legal — all excellent crown-lawyers. Never was an arbitrary doctrine advanced in England that had not the support of an excellent crown-lawyer; it is therefore the rights of men, and the charters of freemen, are not to be left at the mercy of crown-lawyers. The member says, that he understands the prerogative better than I do; he does, indeed; he understands too much of it — he has given a sad proof of the extent of his labours, zeal, and devotion, on that subject; his mind seems entirely occupied with the prerogative of the Crown, and not with the privileges of the people. He says, I have stated *new* law; — but I will prove that he has done so [taking up the police bill]. If this is old law, what does it here? why is it introduced? And if it be new law, it is new law with a vengeance! Here is his new law, not in argument only, but in a bill which is to be an act of parliament; a new law which invades the charter of Dublin, and makes the warrant of a county-justice current in Dublin; — new law, which breaks open your house for a ruffian, and deprives you of your right of action, as for trespass against any of the parties concerned; — a law which is introduced to create a new unconstitutional influence of the minister in the city, and to

bring that corporation under his scourge. It seems that I have supposed that the members of this House are not subject to the jurisdiction of the King's Bench; — no, but I would not have the members of this House accept of a situation, in the discharge of which they must, it is argued, be under the controul and the eye of the King's Bench — *handled by the King's Bench.* The member says, he is as independent in fortune and principles as I am; — I will add, that he is as able and eminent in his profession as any man in Great Britain or Ireland; there is no man more so; personal, as he thinks he has been, I shall not stoop to do him injustice. I allow all his merits: but has he not been a little too irritable, too inflammable? The member, it seems, is not accustomed to parliamentary controversy, and the attack on his argument, or his measure, throws him into a strange state of unnecessary irritation. I am amazed his profession has not taught him better: as an advocate, he must have been accustomed to hard language; or are they so delicate, so decorous, or so respectful to one another's arguments in the four courts, that when the practitioner is controverted in parliament, he is all alive, a lawyer all over sensibility; — the member should know, that in fair debate, the words, the obvious meaning, and the natural conclusion of men will be stated and pressed, not only the words of a crown-lawyer, but the doctrine his words import; this the member, learned and respecable as he certainly is, must hear with patience, and should bear with temper. [Here the Solicitor-general rose to explain].

What the right honourable member means, I may not know; but I know what he says. He need not have given himself the trouble to rise up in his own justification. I cast no imputation upon him; I observed on the happy power he had of stating and not stating just as much as he chose — an artifice admirable in a secretary. There are two modes of deception; one is to deceive directly, and the other, to suffer men to deceive themselves. I do allow, that in this case the success had not been long — the whole must have been discovered in the course of the debate; but I could not avoid observing on the member's ingenuity, and paying a compliment to his capacity.

The right honourable member professes to state the expence of the establishment of this armed patronage in one speech, and has stated the whole of that expence in another, and his last statement is threefold the amount of the first. He was called upon to set forth the expence of the commissioners, and their establishment, which at first he omitted; and when the great object of his bill, and the grievance of the great expence

made its appearance, it came out by way of postscript. The member enjoys the talent of not being more intelligible than the occasion requires; he enjoys the talent of embassadorial phraseology, an admirable qualification for a minister, and particularly for a Lord-lieutenant's secretary; however reluctantly, the secret has come out, and this bill is a measure of patronage only; the expence of the establishment in their commissioners, their magistrates, secretaries, treasurers, high-constables, &c. &c. is out of all proportion greater than the expence of their establishment for the men; the expence for influence is thus out of all proportion greater than the expence for force; and therefore the bill could, in strict propriety, be entitled a bill to establish, not the peace of the city, but the peace of the minister in the city, at a great expence.

The bill was opposed by Mr. Hardy; and supported by Mr. Orde, Sir Nicholas Lawless, the Attorney-general, and Solicitor-general. Mr. Grattan's amendment was negatived, and the committee went through the clauses of the bill. On the report being brought up, Mr. Grattan moved, that the debate be adjourned to the second of August; this also was negatived. The bill was read a third time, and finally passed.

APPENDIX.

No I.

MR. FLOOD'S SPEECH ON SIMPLE REPEAL.

June 11. 1782.

MR. FLOOD asked the secretary what the nature and extent of the repeal of the declaratory law of England, with regard to Ireland, was to be; that is to say, whether it was to be barely repealed, or whether the legal principle or right was also to be renounced?

The secretary said, he believed it was to be a mere repeal; but as the bill had not passed, no judgment or proceeding could well be had upon it, because it might be altered.

A resolution was then read, that passed in the English House of Commons the same day on which the resolution passed, asserting that the declaratory law ought to be repealed: the resolution was as follows: "That the interests of the two kingdoms are inseparable, and that their connection ought to be founded on a solid and permanent basis."

Mr. Flood said, that these resolutions were worded exactly alike, and both had a future aspect, so as to denote that something was necessary to be done in both cases; that is to say, that the repeal of the declaratory law was to be attended with some measures to be taken here, for adding to the constitutional connection between the two kingdoms, whereas, he thought the connection was at present complete: he added, that, throughout the whole debate, ideas of final adjustment and negociation were talked of. He would therefore propose a resolution, as to the connection of the kingdoms, (as far as the laws of Ireland are concerned,) viz. "That a solid basis of permanent connection does at present subsist between Great Britain and Ireland, inasmuch as they must by law always have one common sovereign; and that the approbation of that sovereign, under the great seal of England, must be had to any bill before it can become law in Ireland." He said, however, that if the secretary would say for certainty, that no such idea was held, he would withdraw the resolution. The secretary said he had not at that time any such intention, but could not ascertain any thing on the subject.

Mr. Flood's argument was as follows:

Nothing ever was more judicious than the conduct of Great Britain on this occasion. She was so embarrassed abroad, and you were so strong at home, that she could not deny the repeal of the declaratory law; yet it must ever be her wish to retain the principle of it, because it is the principle of power, which no nation has ever relinquished while it could maintain it. What then has she done? By seeming to yield unconditionally to you, she seized on the generous credulity of your nature, and took full advantage of a change in her own administration. Her first step was bold, in order to strike your imaginations with something, that seemed to be decisive. She resolved that the declaratory law ought to be repealed: she did not say, however, that it ought to be repealed, as having been a false and erroneous declaration of law; far from it. Not a man in the British Parliament held such an idea; the very mover and seconder of the resolution said the contrary. I mention them both with honour; I mention the ministry, the parliament, and the people of Great Britain, with all honour. I lament, but cannot blame their sentiment on this subject. They declared the constitutional right of the British Parliament to make laws for every part of the empire; one of them said, externally; and the other, both externally and internally. One said, the repeal must be accompanied by a final adjustment; and the other, that the law could only be repealed on a principle of compact.

Now this is so far from a renunciation, that it is the very contrary, and a repeal without a renunciation leaves you in effect only where you were. It is a first principle of law, that a declaratory act only declares the law to be what it was before; that is to say, that it only declares, and that it does not alter the law. What follows? That as making a declaratory act does not alter law, so neither can the mere unmaking, alter law; or, in other words, it follows, that if a declaratory act is not pronounced to have been an erroneous declaration of law, the bare repeal of it can do no other than leave the law in that state in which the declaratory act did declare it to have been before such declaratory act passed. An enacting statute alters the law when it is made, and consequently when it is repealed it alters the law; that is to say, its enaction makes law, and therefore its repeal unmakes law. Inconsiderate people confound this idea of an enacting with that of a declaratory act, and are imposed on to believe that the repeal of a declaratory act unmakes and alters the law, in like manner as the repeal of an enacting statute does; but this is utterly false. The repeal of a declaratory law, (unless it con-

tains a renunciation of the principle,) is only a repeal of the declaration, and not of the legal principle. The principle remains behind in full force, unless it be renounced. This is universally true, and it is strengthened in this case by this circumstance. Many acts have been made by the British Parliament binding Ireland, some of them before the declaratory law of George the First. Now, whilst one of these remains, there is an exercise and a proof of the right, stronger by much than the declaratory law. A simple repeal, therefore, of the declaratory law, is no vindication of your legislature. But it is argued, that because in your first address you declare that the British Parliament has no such right, therefore the repeal joined to this, will be equal to a renunciation by England.

But what man in his senses can believe that our renunciation of the British claim can be equal to her own renunciation of it? or that, in any controversy, an assertion of a party in his own favour, is equal to the admission of his antagonist? If Britain renounces it, no other power on earth can pretend to maintain it. But if all the rest of the world were to deny her pretension, yet as long as she maintains it, our rights are not vindicated, and our constitution is in danger. Will any man say, that if I ask a thing on a particular principle, that therefore if I obtain it at all, it must follow that I obtain it on my own principle? There is no such inference in law, in logic, or in reason; it would only appear that the two parliaments had agreed in one point, — that of the bare repeal; but it never would appear, without an express renunciation, that they agreed in the renunciation also; and we know the fact to be, that they do not agree with us in that principle. But to put this argument to a decisive proof, let us suppose that, after such a simple repeal, at a future day the British Parliament should revive the principle, and make a law for us. Suppose that Ireland should remonstrate on this — suppose she should read that paragraph of her address, and quote the British repeal of the declaratory law, and should argue from both that England had for ever renounced her claim, do you think that England would listen to such an interference, or that any reasoner in Europe would allow the force of the argument? Would she allow you to piece your address to her act of parliament? If you questioned her declaratory act, would she not question your declaratory address? Would she not appeal to the language held by her own members? Would she not appeal to words upon your journals? Would she not appeal to the silence of her law of repeal, and to your acquiescence under that silence? Would

she not say, that that was virtually a national relinquishment of any idea of renunciation, so that the principle remained not only unrenounced, but the equity of it impliedly admitted by Ireland, at a moment when she was the ablest to contest it?

But I shall be asked (though the repeal of the declaratory law should be simple and imperfect), whether I think that England will ever revive the claim? I answer, I cannot be certain that she will, neither can I be certain that she will not; and I ask in return, whether any man will be surety that she will not; and if any man is weak enough to say that he will be so, I will tell him that this nation will not be weak enough to accept of his surety (no mortal is adequate to such a business). I add, that England either has or has not a possible notion of such a revival; if she has not, she will not quarrel about renouncing it; and if she has, the renunciation is absolutely necessary. I add that if she does not renounce the claim, she certainly may revive it; but that if she does renounce it, she certainly cannot revive it. Yes, you will say, for she might even repeal an act of renunciation; and to argue every thing fairly, I will admit that in the utmost range of possibility such an outrage is not unimaginable; but what do I infer? not that I should be the more negligent, but that I ought to be the more careful; that it is my duty to make it impossible if I can; and if I cannot do so, that it is my duty to make it next to impossible. It is absurd to say, because I cannot make a thing physically impracticable, that therefore I should leave it morally easy; but it is good sense to say, that I will make a thing as difficult as I can, though I cannot make it as difficult as I would, and that if I cannot make a thing impossible, I will make it next to impossible.

Indeed, on what principle did we enter into this business? It was not surely on the silly notion of getting the force or the good-will of England to act on our side, and against herself in this question: that was impossible. What then was our pursuit? To obtain the utmost security that law could give; certain, that if at such a time of extremity, we did not obtain it, we never should be able to obtain it: we had but an alternative; either to rely on the liberality of England, and then to suffer her declaratory law to remain, as a thing impotent and never to be exercised; or, in a matter of such stupendous consequence, we were to say, that we would not trust the generosity even of Great Britain, but that we would have solid and legal security. The latter is certainly the strongest, and the most rational dependence; but though the former be weaker, it is better than neither. Now, in desiring

even the repeal of the declaratory law, you forfeit the liberality of England, because you do not confide in it; and if you do not carry the matter on until you obtain legal security, you in effect relinquish both. That is to say, you do the very worst thing the case is capable of, so that it would be difficult to say whether your attempt was the most glorious, or the conduct of it the most inadequate and disgraceful. But the pride of England will be hurt. I should be sorry for it; either however her pride is contrasted to our security, or it is not; if it is not, our effectuating our security will not hurt our pride, and if it is contrasted to us, we must choose one of two things, either to hurt her pride, in order to obtain our security, or to relinquish our security, in order not to hurt her pride; but if there be a pride on one side, there is a pride also on the other; if there be a pride of England, there is a pride of Ireland too. Now, I ask which ought to give way? for one must; and I answer impartially, that which has the worst foundation. Now, which is that? The pride of England in this case, is the pride of wrong, and the pride of usurpation. The pride of Ireland, is the pride of right, the pride of justice, the pride of constitution. I will not ask you, after that, which ought to give way; but it is wrong to put this question principally upon pride. England, it is true, has a pride in the matter, but she has what she values more, a principle of power. Ireland too, has a pride in the matter, but she has what she ought to value much more, a principle of permanent security. Now, that nation will be the wisest in this transaction that sacrifices her least object to preserve her greatest, and England will do this precisely, if she can prevail on you to accept of a simple repeal without a renunciation; for in that case she will sacrifice a little pride to preserve all her power, whereas, you will, for a petty sacrifice to your pride, forfeit all your security. But a confidence in the present administration ought to stop us. I deny it, not that I mean to deny or diminish any one of their virtues; I will allow them to have as much ability, power, popularity, and patriotism, as any of their predecessors: to fortify my argument, I will suppose them to have more of every excellence than all their predecessors together; and what do I say then? I ask, are the wisest, honestest, and greatest men of Ireland, the men that would soonest relinquish what they thought to be the rights and dignities of Ireland? Certainly not. Are then the wisest, honestest, and greatest men of England, the likeliest to relinquish what they think the rights and dignities of England? Certainly not: either then the ministry are such men as I have now been describing, or they are not; if they

are not such men, they do not deserve our peculiar confidence in any thing; and if they are such men, they cannot deserve our peculiar confidence in this point, unless their principle and conviction be on our side. Now, we know it to be decidedly against us. Why does any country wish for a strong administration, I ask; because it makes the country strong. Now, was it from the strength of England that we have gained our advantages, or from her weakness? From her weakness undoubtedly. How then do we argue? The great strength of administration gives great strength to England; but the great strength of England in this case, is the weakness of Ireland: and yet the strength of administration is her security; — these things are impossible.

This brings me to what fell from Mr. Fox: he said, the measure of the repeal could not stand alone, but must be accompanied by a final adjustment, and by a solid basis of permanent connection between these kingdoms; he said, that some plan of this sort would come from the servants of the Crown in Ireland to the Irish Parliament; that when the result of Parliament was known, a treaty might be begun if necessary; if a treaty should proceed, then it would be to be ratified by the two parliaments, and finally, to be completed by irrevocable acts of the respective legislatures. Now, I say, if we are to negotiate at present, we are to depart from our original principles; it is not five weeks ago that we all declared that we had made this as a peremptory demand, and that we had nothing in it to negotiate; were we now to begin to negotiate, we should negotiate after great advantages had been obtained against us; for instance, we were desired to specify our wrongs that they might be redressed; we did so; and as we specified for redress, we made our specification as narrow as possible, in order to facilitate redress; but had we specified with a view to negotiation, we must have made our specification as broad as possible, in order to have the greater advantage in negotiation.

Our second address is another advantage gained against us; that is represented even here, and still more will it be held in England, to be a repeated restriction on the requisitions of this country. What follows? That if we were to negotiate now, we must negotiate all on one side, bound up not to make demands, and open only to make concessions. Now, a negotiation in which one may give every thing, and gain nothing, may be called a negotiation by some men, but by most men it will be called folly; in this too, we are to propose, though the proportion is to be against ourselves, and we are to propose this through the servants of the Crown, which is, still

more against us. Now, the servants of the Crown will not propose terms for England, till our Parliament is properly prepared for the subject, and we know what that means. If the servants of the Crown and the Parliament cannot be got to go far enough for England, then a treaty is to be begun, in which England will have advantage as to matter, and command as to time.

In the stage of ratification she will have more, and in that of completion and consummation still greater advantages in all of these stages; all the cabinet and parliamentary councils of England will be unanimous on one side, viz. that of England. But the cabinet and parliamentary councils of Ireland will not be unanimous in favour of Ireland, but will in general have a decided majority in favour of England. What equity can there be in such a result? Here are five stages marked out by Mr. Fox, in each of which there may be a final difference of sentiment, and in each of which there may be a necessity for some, and an opportunity for great delay, without any management; this must be dilatory, and with a little dexterity it can easily be spun out to a peace. Now, I ask you, what it is that has given you every thing; is it not time? And, as time has given you every thing, reflect that time may also take every thing away from you: but time is not necessary, negotiation alone is sufficient to undo you; you were not born to be negotiators; the negotiation is a dark, austere, inexorable character; you are soft, open, and persuadable; you have not the detailed knowledge, the systematical procrastination, the suspicious reserve, or the frigid perseverance of a negotiator. When have you negotiated that you have not lost? You negotiated at the restoration, you negotiated at the revolution, you negotiated at the augmentation of your army, you negotiated your free trade, you negotiated the mutiny bill! When have you demanded, that you have not succeeded; and when have you negotiated, that you have not been deceived?

There never was a time which required more consideration than the present. The national exertion began in the last year of Lord Buckingham's administration; it is now drawing to a period, and whether that shall be glorious or otherwise depends on your wisdom: a short view of what we have done will be a guide to what we should do. We had groaned for a century under an increasing usurpation; the American war broke out, and, whilst we were called upon to shed our blood for Great Britain, we were insulted with the application of that principle to Ireland which had revolted America; our feelings were exasperated by the application, and our trade

was ruined by the war; we saw ourselves beggars in fact, and slaves in assertion. The merchants flew to a non-importation agreement, &c. — the people flew to arms! Amidst this perturbation Parliament assembled, and we amended our address by the demand of free trade, as we have lately amended our address by the demand of a free constitution, that is, of an exclusive legislature, on which all freedom of trade must depend. And therefore it was, that I did originally differ with some gentlemen, for I asserted that they had not obtained that freedom of trade of which they had boasted, because they had not obtained that freedom of parliamentary constitution, without which a freedom of trade could not possibly exist. We received from England a dilatory answer. We shortened our money-grants to the Crown, we shortened them to the subject; and the Irish public creditors, to their immortal honour, embarked so fully with the rights of the nation, as cheerfully to accept of a six-months' security. This rapid succession of sober and consistent efforts struck like lightning on the ministry and Parliament of England; all obstacles gave way, our demand was to be granted in all its plenitude, all the British statutes restrictive of our foreign commerce were to be repealed, and on that constitutional principle on which alone it would be welcome, — a principle, which, in that early period of this question, I took the first opportunity to lay down in clear, unambiguous, and categorical terms. What was that principle? that, having a parliament of our own, our foreign trade was necessarily free, and subject to no restriction as to our ports, but such as our Parment might impose. This principle, we were told, was admitted by England, as to our foreign trade, and pleaded by her in return, as to her own ports and those of her colonies. We admitted the principle which we claimed, and she said she would open to us her colony ports on equal regulation of trade. The tidings of this emancipation, as it was idly called, landed in Ireland. The post-office was illuminated by an emissary of the Castle; the college took fire in the next instance by a happy contagion, and the city caught the flame in a regular and sympathetic succession. All sober consideration was lost in an ignorant clamour, and the steady pulse of the public yielded to a fever of exultation. What was the consequence? England saw that we were surprised at our success, saw that we had asked more than we expected, concluded we would accept of infinitely less, and determined that should be as little as she could. First, then, she determined, not to repeal all her laws restrictive of our foreign commerce, yet, whilst an atom of such restriction remains, the total impeachment of your constitution

remains; when therefore an artful resolution was prepared for this House, on that occasion, expressive of satisfaction in that enlargement of our foreign trade, I exclaimed against that word. If you thank the British Parliament, I said, for the enlargement of your foreign trade, you admit she can restrain it; if you admit she can restrain it, you admit her legislative authority; that is, you gain little in commerce, and you lose every thing in constitution. I object to the word foreign, therefore; it belies Ireland, and it deceives Great Britain. The independent gentlemen of the day, however, did not feel, did not take up the principles; yet, though they did not take it up that day, they have felt it since; and though the word was universally admitted then, there is not a man in the nation that would not reject it now.

Such was the first stage of this business. Let us see how much more worse we made it in the progress of negotiation. The language of England was the language of common sense. Ireland must have equal regulations of trade, she said, but equal taxes on home-consumption she did not say; equal regulations of trade may subsist between a poor country and a rich one, but equal taxes on consumption cannot. Now, what has your negotiation made of it? You have made your arrangement a tax-law in part, which ought to have been a trade-law in the whole; that is to say, instead of a regulation in trade, you made it a regulation against trade, and a severe and a caustic regulation too. What regulation, indeed, can be much more adversary to trade, than a heavy tax on a raw material imported for the purpose of trade, and for the end of manufacture? So pernicious are such taxes, that the ministers in England, whose profusion has brought them on that country, have endeavoured to extenuate their malignity by two regulations: to console the manufacturer, they tell him that they will open to him the foreign market, by giving him a drawback on his manufactures exported, equal to the tax on the imported material; and they tell him besides, that they will shut up for him the home-market, and give him a monopoly of it. How? by laying a prohibitory duty on the manufacture imported from abroad. And what have they done as to manufactured sugars? They have laid a prohibitory duty upon them when imported into England from any other part of the world, Ireland even not excepted. What have we done? We have laid the same prohibitory duty on manufactured sugars imported into Ireland from any other part of the world; but we have excepted England, whereas she did not except Ireland. Now, there was much more reason for our excepting England, than there was for her excepting Ireland; and why?

Because Ireland could never, by any possibility, be a rival in sugars to England in the English market, but England is actually a very formidable rival to Ireland in the Irish market. What is the fact? The Irish manufacturer of sugars has but one rival in the world, and that is the English manufacturer of them. And what have we done? We have given him the full security against all those that are not his rivals; and we have not given it to him against the only manufacturers that are his rivals; we have given him perfect protection where he is in no danger, and we have not given it to him where he is in all danger: we have done worse by him; we have not only given him as much security against his only rivals, as against those who are not at all his rivals; but we have not left him as much security against his only rivals, as he always had before; that is to say, the duty on the imported manufacture now bears a less proportion than ever it did before to the duty on the imported raw-materials. By consequence his peril is greater, as his protection is less; and his security being diminished, his danger is enhanced: but that is not all; you have not done for him what England originally pointed out to you in his favour: she proposed equality as the principle of your regulation of trade; we adopted it religiously in that part to which it was not applicable, and where it was precious, I mean in the tax part; and we only deserted it in the trade part, where alone it was applicable, and where alone it was beneficial.

Such was the spirit in which we negotiated our free trade; let us take care how we negotiate our free constitution; but the error of that arrangement does not stop here. Its first principle was erroneous; it set out with this maxim, that you were to pay for this as if it were an enlargement, and that you were to pay for it in tax, as if you had not paid it otherwise before. But what is the truth? The sugars of Spain, Portugal, and France, would supply your manufactures as well as the British West Indian islands, and generally better; if, whilst you retained those markets, England had opened her colony ports too, this would have been a new market, which is always an advantage to the buyer. But what is the case now? You are suffered to go to the colony market of England, which is the English market in effect, and which is, therefore, her advantage; but you give up this for all other, and some better markets, which is your disadvantage. Instead of its being an enlargement, therefore, this is more properly a restriction; and instead of England's granting you a boon in this matter, it is you that give her a monopoly. Now, a monopoly is so much against the giver, and so much in favour of the obtainer of it, that no nation in its

senses ever gives it to another; and if a part of an empire gives it to the head, it cannot be on a principle of trade, because a principle of trade is a principle of gain, whereas this is a principle of loss. On what principle alone can it be given? on a principle of empire? That is to say, in other words, it is a tax or a tribute, and that of the heaviest nature; but, if you were to pay for it in taxes, besides paying for it by monopoly, it would be absurd to pay for it more than it was worth.

Now, take the whole West Indian commerce, take the utmost proportion of that commerce that could ever fall to your lot, take the utmost proportion of clear profit that can be supposed to accrue from that quantity of trade, and then take the utmost proportion of what clear profit that can be afforded to revenue, and I say it would never amount to that sum which you have agreed to pay on the instant for the contingency of this direct trade, with this additional absurdity, that if you should not be able to establish it, these additional duties will be equally payable upon your old circuitous trade, which before was free from them. Will you trust negotiation again? This arrangement cannot be justified on any commercial principles. Was any constitutional advantage obtained by it? Far from it; the very principle of the arrangement is hostile to the constitution; it gives to the British Parliament a virtual power of taxing you; for wide is the principle of it; that when England taxes a colony produce, you must tax it equally, or give up the trade. Thus this arrangement leaves both your trade and your money at the mercy of the ministry and Parliament of England.

Combine this with another law of the same period, the mutiny bill, therefore, and see what the result of both is. You complained that the British Parliament should make even a twelvemonth's law for your army; and what did you do to remedy it? You made an act that she should do it for ever. The two greatest powers in the management of human concerns are the power of the purse, and the power of the sword. You did by these two laws for so much delegate away both of these great powers from yourselves to the British Parliament; that is to say, in the very moment that you talked of recovering your own authority and denying that of the British legislature, you did every thing you could to strengthen the power of that parliament which you meant to overthrow, and to weaken the power of that parliament which you meant to establish.

I do not speak these things in order to say what is disagreeable to any man living, much less to say any thing dis-

agreeable to that body, in defence of whose privileges I have lived these two-and-twenty years, and in the defence of whose privileges I will die. I speak them from a deep conviction of their necessity. You see how you have been negotiated out of every thing, and how dangerous it is to negotiate again. You see how dangerous it is to exult too soon, or to imagine that any thing of this kind is done, while any thing remains undone. You see what a miserable end was made of Lord Buckingham's last session of parliament, though it began with so much splendor; and as a part of this session has trod the steps of its glory, I would warn the conclusion of it against the steps of its decline. To put a stop, therefore, to the danger of negotiation, and to accelerate the safety of an immediate repeal, and of a final renunciation, I move the resolution I have before stated to you.

On this resolution Mr. Daly moved the order of the day, which was carried without a division. Mr. Flood's motion was consequently lost.

No II.

MR. FLOOD'S SPEECH ON SIMPLE REPEAL.

June 14. 1782.

I DO not mean to oppose the most liberal interpretation that can be given to the British act of parliament in question. * The right honourable gentleman defends it by saying, that if Ireland had been by name excepted; even that exception of Ireland might have been considered as implying, that if she had not been excepted, she would have been bound; and certainly it would have been exceptionable for that very reason; and for the same reason, the law as now worded is exceptionable: it includes all His Majesty's dominions in Europe, and as Ireland is one of them, it does impliedly include Ireland; both of these methods, therefore, are equally exceptionable. But there was a method of avoiding both of these objections; and if I, a weak and incapable man, can at first sight point out an easy method of doing so, how much more easy would it have been for His Majesty's ministers to have done so. It might have been worded so as to have included

* An act regulating the trade to Nevis, St. Christopher, and Montserrat.

all His Majesty's dominions in Europe, that were subject to the legislative authority of the British Parliament: it would then have been an implied assertion of our constitution, instead of being now an implied infringement of it. Had the British Parliament renounced the right, she could have no objection to some such form of words: but she well knew that a repeal of the declaratory law is no renunciation of the right; in this, and in every instance, she shows an utter reluctance to such a renunciation: now every symptom of such reluctance on her part, is equal to a thousand demonstrations that such a renunciation is necessary for us. I do not understand the doctrine of clerical mistakes; how far is it to lead us? where is its boundary? is it only to hold for the present time, and during the present ministry? or is it to extend to all times and to all ministries? If it is to do the latter, the doctrine is too dangerous to be admitted; and if the former only, it is too partial. No minister of England, no attorney-general of Ireland, could desire a more convenient principle, than that the doctrine of clerical error was to excuse an act of the British Parliament binding Ireland; but such a doctrine would soon leave our constitution where it was, and would efface the glories we have been acquiring.

This brings me to speak of the repeal of the declaratory act of George I. as it is now proceeding. In the first place, it is an undeniable principle of law, that the mere repeal of a declaratory act does not renounce the principle of it; and it is clear to common sense, that nothing but a final renouncing of the principle of this law is adequate to our security. With regard to this law of George I., the maxim I have mentioned obtains with peculiar force. What is the title of the law? It is an act for the better securing the dependency of Ireland: on the face of it, therefore, it imports expressly, that that dependency did before exist, and that by consequence it must continue after; unless renounced, it had, indeed, too strong an antecedent existence, to be destroyed by any weak implications. The first authority of law known to the English constitution, is that of the great Lord Coke; his authority is expressly against us, and in favour of the English Parliament. Will any lawyer say, that the clear and decided opinion of Lord Coke, in a matter of law, is a thing to be contemned? Add to this a number of statutes made by the English Parliament, and acquiesced in by the Irish nation, antecedent to the declaratory law of George I.; and will any man be so rash, so foolish, or so corrupt, as to say that such a pretension is to be overlooked? or, that it can rationally be stated to be so void of principle and colour, as that a bare repeal of a sub-

sequent and merely declaratory act, can annihilate it? Let no man conceive such a thing.

The honourable gentleman * says, that the giving up the final judicature is a decisive proof of sincerity in the British Parliament, because it cannot be supposed, that our final judicature would carry British laws into execution; but how far does this reasoning go? It shows, indeed, that they think the spirit of this country is so unanimous on this subject at present, as that nobody will appeal to their judicature; or that if any person should appeal, that the decree would be resisted and baffled in the execution of it; they, therefore, very wisely determine to give up what it is impossible to retain; but though this may extend (as long as the present spirit continues) to *internal* final judicature, and to *internal* legislation, yet it does not at all extend to external legislation, or to the final judicature proper to that species of legislation. Now, what is external legislation? It is that species of legislation which Mr. Fox expressly specifies and assents, and which not one British member controverted; that is, in other words, it is the whole of commercial and marine legislation. Now, what is the final judicature in that? It is the British fleet. Witness what happened in this kingdom the other day: the spirit of the country was such, that the commissioners dared not refuse a clearance to a vessel, though freighted with goods prohibited by British acts of parliament; but though the vessel had her clearance, she could not sail; and why? because the Stag frigate was in the bay ready to seize and to confiscate.

The hon. gentleman knows the story to be true, and has quoted the fact himself within these walls. Now, this maritime, or external legislation, and this final judicature of the Stag frigate, is a thing which nothing can reach but a formal renunciation of the right on the part of Great Britain. Is this a situation in which an able general would leave an army; or in which a wise patriot would leave his country? certainly not. The hon. member says, that the royal word is as firm as a parliamentary renunciation. Does not the hon. gentleman know, that the words of the king are the words of the minister, in all constitutional and parliamentary consideration? How often, in his short experience, has he known that security fail? Did it give us a judge's bill in Lord Townshend's time? Did it keep 12,000 men in the kingdom ever since? Has it secured economy to us, so often promised, and not yet arrived? I will not multiply instances. Now,

* Mr. Grattan.

these are cases where the most express words were used in the speech from the throne, which is the speech of the minister, and not of the king. In this case, is there any express mention of renunciation? No such thing. Now, if express words have failed, why may not words fail that are not express? Again I ask, will any man pretend to affirm, that the declaration of the king can be equal in force to an act of legislature? No man in his senses can believe it to be so. In the American question, what was the doctrine? That if the king wished it ever so much, yet it was not in his power to give up the power of the British Parliament. Did the king ever attempt to make the smallest relaxation without an act of legislature to authorize it? I ask the hon. member, whether the king, by a declaration to the British Parliament, could give up any of the rights or pretensions of the Irish legislature? I am sure, he will answer no. Then, by what rule, I ask, can any declaration of the king to us give up or cancel any pretension of the British Parliament? What authority on earth can be so perfectly adequate to it, as that of the Parliament of Great Britain itself?. But the hon. member would not accept a great charter, he says, from the British Parliament; so jealous he is of its authority; nor would I, provided it contained an assertion of its legislature over us, because that would be nominally a great charter, but really a defeazance and a concealment of our constitution. Now this is impliedly the case in an act merely and simply of repeal; but if it contained a renunciation of all such authority, I would accept of it, because then it would indeed be a great charter; for what was the great charter of our early kings to their subjects? Was it not in fact a renunciation of the usurpations of those kings, and nothing more? It was not a donation, but a mere recognition of the rights of the subject; which recognition became necessary only in consequence of the regal usurpations. Now, I ask, did those kings or any other part of mankind ever think that in renouncing those usurpations they reestablished them? No man was ever so frantic as to suppose it; how then could a parallel renunciation by the British Parliament have any tendency to legalize its usurpation? I will venture to say, that a renunciation of all right is the last method that the British Parliament will think of taking by way of establishing her authority over Ireland; and why? because it is the most effectual method on earth of defeating it. The sound of an English act of Parliament ought not to frighten us out of the sense of it, if the sound of it could be destructive to us; an act of repeal would be as noxious as an act of renunciation, and if the sense of it can be salutary, it

is by its being an act of renunciation; any other act may be an exercise of legislation over us; but an act of renunciation cannot be so.

The hon. member said that I had thought on a particular subject till it had become my weakness: may not the remark become applicable to himself? for surely, if his zeal on this subject had not outgone even his judgment, great as that is, he would not use arguments on this occasion which, on any other, he would reprobate from the lips of any servant of the Crown; he would not call a British act of parliament, including Ireland, a clerical error; he would not say, that a speech from the throne is equal to an act of parliament; that a British act of repeal is a safe exertion of her power towards us, but that an act of renunciation would not be so; he would not say, that a renunciation would be a better security, and yet that a repeal is sufficient, in a case where no security can be too great, and in which scarce any is adequate; he would not say, that good faith is equal to legal security, or that legal security, with the addition of good faith, is not better than the latter is alone.

It is not pleasant to me to differ with the honourable member; but in this case it is unavoidable: it is one of those cases in which I feel myself impelled by so strong a duty, that nothing personal either to myself or to others can controul me; and I feel it the more my duty to speak out on this occasion, because I have never ceased to repent my having not done so in Lord Buckingham's administration, with respect to the word foreign, which was then inserted in our resolutions, — I will not say with evil design, but certainly with evil example.

I differed with the honourable member, and others whom I much respect, with regard to that expression. I disapproved of it in the strongest terms in private conference; they did not perhaps approve, but they did not disapprove of it, and therefore it passed without notice. Since, however, it has been felt, and the objection which the honourable member has this day made to the British act which he has quoted, is, that it seems to assume a power over our *foreign* trade. Now, this is the very principle on which I objected then to the word *foreign*, though I was not at that time supported in it; with this omen, therefore, (that I may sometimes differ from the honourable member, and not be always in an error,) I go on.

The honourable member says, that we have the faith of nations to depend on. Now, as to the faith of nations, I have this to say, that like every thing else, where it is the best

thing that can be had, it is good for that reason; but where it is not the best thing that can be had, it is for the same reason not good: what follows? That it is good between unconnected nations, because there is nothing stronger between them, (except force); but it is not good between countries connected by civil government, because there is something stronger there, and that is, legal security: but what does the faith of nations between unconnected kingdoms amount to, I ask? to what, but to perpetuate warfare, and an everlasting appeal to heaven, as it is called, by a peculiar and a very barbarous prophanation? In short, what is a state of dependence on good faith, other than a state of nature, which though not a state of war, is yet so liable to it, that it is to avoid its disorder that we have yielded to the incumbrances of government? Each of these conditions has some disadvantages; but it would be utterly absurd to retain the disadvantage of both.

If we will submit to the insecurity of mere good faith, let us be freed from the burden of government; but if we are to have the burden of government, let us take care to have also its security. Look at England; has she trusted to the good faith of Ireland, that Ireland will never desire any other sovereign than the monarch that sits upon the British throne? No, she has got a perpetual Irish law to put it out of doubt.

Has England trusted to the good faith of Ireland, that our Parliament should never pass a law disagreeable or disadvantageous to English government? No, she has got a perpetual Irish law to make it impossible. Does any man think she acted unwisely or illiberally in doing so? No man can think so. How then can it be unwise or illiberal in us to desire a legal security in this point, upon which all other legal security depends? The good faith of Ireland is equal to that of any country in the world; and if her good faith was not a sufficient security to England, with the British superiority of power to support it, how can good faith be a sufficient security to us in our inferiority?

When the stamp act was repealed, and the declaratory act passed as to America, America was told that it was a sacrifice to British pride, and that it never would be exercised. But how long was it before it was exercised? Is there a man in England that would ask America now to be content with the bare repeal of that declaratory law? Then why should he ask it of Ireland? Ireland had a parliamentary constitution, the same as that of England, with an hereditary and ennobled branch of legislature, invested with final judicature, above three hundred years before any colony in America had a

name. Those colonies have had popular assemblies, it is true, but not parliaments consisting of King, Lords, and Commons, with all the powers belonging to them. The final judicature of America was never to any of the orders of her provincial assemblies, nor to the House of Lords of Great Britain, but to the British Privy Council; yet with these, and a thousand other marks of a distinct kingdom in Ireland, and of a colony constitution in the American provinces, without analogy of fact, and without inference of argument, Ireland is at this day, as to the legislative claim of the British Parliament, sunk to a level with the colonies of America; but though she is argumentatively depressed to that level, where the parallel is injurious to her, she is not lifted up to that level where the parallel would be advantageous.

For instance, England says, that constitutionally she has a right to make laws for Ireland, as well as for the American provinces; but when the declaratory law is to be given up as to both, a simple repeal is enough for Ireland, whilst an express and a final renunciation is offered to America. This difference can have no foundation in equity or in reason; it can therefore only be grounded on a difference of situation, that is to say, that England is obliged to relinquish more to America than she is compelled to surrender to Ireland, and that neither England nor any other nation ever relinquished any authority they could retain. Now I do not blame England for this, because it is the nature of men; but I blame Ireland if she does not see it, and if she does not know, therefore, that nothing is relinquished that is not renounced. I have as great an opinion of the good faith of England as any man, and therefore I wish to have it solemnly pledged. Now, a bare repeal, I say, does not pledge her good faith never to exercise the power, because it is not a renunciation of it, it is therefore that I desire a renunciation; and why? because a renunciation will, in the first place, give all the legal security that the cause is capable of; and because, in the next place, it will pledge the good faith of Great Britain expressly, and when it is expressly pledged, I shall be ready to confide in it. A positive promise is, in every case in the world, more to be depended on than a constructive one, and the greater the honour of the nation that makes it, the more it is to be confided in, and the more it is to be sought; but a simple repeal is not even a constructive promise. Why is it, that in all treaties between unconnected nations, the utmost care is taken to use the most explicit terms? it is not because the most explicit terms may not be violated, but it is because the violation of them is highly dishonourable and highly danger-

ous to the state that is guilty of it. If, after the conduct that Ireland has ever held to Great Britain, England should formally renounce her legislative pretension now, and afterwards should attempt to resume it, her own act of parliament would be her condemnation all over Europe, every cabinet on the continent would exclaim against her baseness, and would think themselves authorised to assist the oppressed subjects, whom her own act would prove not to be rebels.

Every man on every side, and of every description, equally confesses that a renunciation is necessary. The honourable gentleman himself, and every other man who is content with a simple repeal, profess that they are so, only because they consider a repeal as being a renunciation: now this is unanswerable; a renunciation is certainly a renunciation, nobody can deny that; but a simple repeal may not be so; one therefore is certain, and the other at best is uncertain. Which shall I prefer in a case of this consequence? But this is not all; a repeal of a declaratory law, not only may not be a renunciation of its principle, but I maintain that it certainly is not so; in this I am so clear, that I stake my character with you for common sense upon the subject; in this I am so clear, that my motion shall be an appeal to the nine judges of Ireland, and, if you please, to the twelve judges of England also upon the point. I have appealed to all the great lawyers in the house, and every one of them has confessed, that a repeal of a declaratory law is not a renunciation of the legal principle. Two only have attempted this evasion; they say, that in this case there was no colour nor principle of law at the bottom of the act, and that therefore when the act is removed, nothing can remain: now, this is very well on one side of the water, but it is totally false on the other; here we say there was no colour nor principle of law at the bottom of that act, but in England they assert the very contrary. In England, therefore, they will have a right to say, that after the repeal, the principle will remain. What we may say here, will not avail to our security, unless England can be got to concur with us. If England, indeed, will renounce the principle as we do, the repeal may be sufficient, that is to say, a repeal with a renunciation by England will be sufficient; but a repeal without such a renunciation will not be sufficient; it is but three days ago that the honourable gentleman thought a repeal inadequate, and therefore declared an intention to bring in a declaratory Irish law, in order to have the great seals of both kingdoms affixed to the recognition of our constitution. What has happened since to render such an intention less necessary? nothing has been mentioned to diminish

the necessity, but some men are fond to argue, that our address has bound us to a simple repeal. Now, first, I say, that if such an error had been committed in the address, it would be hard that the constitution of a great nation should be irrevocably tied to the diction of any individual; but I utterly deny the fact: I desire the words of the address to be pointed out that mention a simple repeal of that act as adequate to our views; and as no such words can be pointed out, I will mention words in it that prove the contrary. The grievance as to this point, stated by the address as necessary to be redressed, is not that act alone, but that act and the claims of it; now, the repeal may take away the act, but nothing except a renunciation can take away the claims. The claim is the claim of right, or the legal principle either real or assumed. The simple repeal takes away the declaration only, but leaves behind the claim or legal pretension. I say, therefore, that the address is full to the purpose, and that we must misconstrue that address before we can forfeit our constitution; clear, however, as these things are, I will not affirm that a majority will instantly accede to them; but this I know, that majorities can sometimes err, and that majorities can sometimes change their opinion.

What was the first feature of this session of parliament? a triumphant majority in support of Lord Carlisle against any redress of our injuries in Portugal. What followed? the honourable member proposed an alteration of the perpetual mutiny bill; a rank majority opposed him. I attempted it in another form; a rank majority opposed any reformation of it: it was faction in one, it was disappointed ambition in another; in both, it was any thing but truth and the constitution. What was the cry of the parasites of the Castle? The sugar bill and the mutiny law were such acquisitions to this country, they said, that Ireland had nothing to redress, and that nothing but industry in her people, and gratitude in her Parliament, could now become her. Was not this gabble held, and was it not even popular for a time? I brought forward, notwithstanding a vindication of your privileges against the manifold perversions of the law of Poyning; and what did I ask of you? not implicitly to adopt the sentiments and words of any individual, but to appoint a committee of yourselves to examine the authorities I had produced in your behalf, that, if I had erred in fact, or in inference, you might not be misled; and that if I had, you might benefit by the proofs, and perpetuate the decaying evidences of your constitution; yet even such a committee was denied, not to one but to the Parliament and to the nation. The honourable member then brought forward, in the form of an address, an assertion of your exclusive

legislature; a huge majority opposed the reception of it. I brought it on again by a resolution then simple, that you yourselves were the only representatives of the people: a huge majority refused to affirm it; these reiterated defeats struck like thunder upon the hearts of the people, and in these decided and stupendous majorities, they thought they saw the death of the constitution. A voice from America shouted to liberty! the echo of it caught your people as it passed along the Atlantic, and they renewed the voice till it reverberated here. What followed? All the propositions that had been separately reprobated, were now collectively adopted; the representatives of the people articulated, at length, the sense of their constituents. The case of Ireland, originally stated by the great Molyneux, and burned at the Revolution by the Parliament of England, is not now afraid of the fire; it has risen from that phœnix urn, and with the flames of its cradle it illuminates our isle! What is the result? It is now in your power, and I trust, it will be in your wisdom to do final justice to the rights and interests of your country; for me, I hope, I have not been peculiarly wanting to them.

At an early period of my life, on a question of embargo, in consequence of a proclamation founded on a British act of parliament, I brought the criminal gazette within these walls, and at your bar, I arraigned the delinquent. The House was alarmed, and I withdrew any question, on the proclamation's being withdrawn. If you ask, why I did not pursue it to a formal declaration of right? I answer, — for I wish to be answerable to you for every part of my life, — I answer, that the time was not ripe for it. The first spring of the constitution is the elective power of the people, till that was reinforced by limiting the duration of parliaments, little could be done.

The people wanted constitutional privilege; till the fabric of usurpation, founded on the law of Poyning, had been shaken to its foundation, little could be done; the Parliament wanted conscious dignity, till the people were armed; every thing could not be done; the nation wanted military power. These were necessary antecedents. The public mind wanted much cultivation; the seed, too, was necessary to be sown; and if I have not been wanting to the preparation of the soil, may I not be permitted to watch over the harvest? To that harvest too, as well as to every other, a prosperous season was necessary, and that season presented itself in the American war. When, therefore, the honourable member, in the sunshine of that season, and of his own abilities, brought forward a declaration of rights in Lord Buckingham's government, after that administration had amended his proposition for the

purpose of defeating it, I stepped forward in office, as I was, and at the hazard of that office, and rescued the principle from the disgrace of a postponement, or from the ruin of rejection. In this session, too, I hope that my humble efforts have not been peculiarly wanting. In ability I will yield to many, — in zeal to none; and, if I have not served the public cause more than many men, this, at least, I may say, I have sacrificed as much to it. Do you repent of that sacrifice? if I am asked, I answer, no. Who could repent of a sacrifice to truth and honour? to a country that he loves, and to a country that is grateful. Do you repent of it? no. But I should not rejoice in it, if it were only to be attended with a private deprivation, and not to be accompanied by all its gains to my country. I have a peculiar right, therefore, to be solicitous and ardent about the issue of it, and no man shall stop me in my progress.

Were the voice with which I utter this, the last effort of an expiring nature; — were the accent which conveys it to you the breath that was to waft me to that grave to which we all tend, and to which my footsteps rapidly accelerate, I would go on; — I would make my exit by a loud demand of your rights, and I call upon the God of Truth and Liberty, who has often favoured you, and who has of late looked down upon you with such a peculiar grace and glory of protection, to continue to you his inspirings; to crown you with the spirit of his completion, and to assist you against the errors of those that are honest, as well as against the machinations of all that are not so.

Mr. Flood's motion was, that the opinion of all the Judges be desired on the following question: "Does the repeal of a declaratory act amount, in legal construction, to a repeal or renunciation of the legal principle on which the declaratory act grounded itself?"

The order of the day was called for, and carried without a division, and Mr. Flood's motion was consequently lost.

N° III.

MR. GRATTAN'S REMARKS

ON MR. FLOOD'S ARGUMENT ON SIMPLE REPEAL.

MR. FLOOD observed, that a declaratory act does not make a law, and that the repeal of it does not unmake a law; — it makes a statute, and a statute is a law; the repeal of it unmakes a statute, and the unmaking of a statute is the unmaking of a law. It makes a law by declaring it: there are three legislating terms, *enact*, *declare*, and *repeal*; declare, differs from enactment, by having a retrospective aspect, but it is equally a legislating term. Mr. Flood observes, that a declaratory act is a declaration of law, not a law: then there would be no such thing as a declaratory law, and the 6th of George the First is not an act of parliament; but a declaratory law is not, properly speaking, a declaration of law; it is a law made by the legislature; it is defined a new law affirming an old one, and the repeal is the disaffirmance of the existence of that law; it gives to a doubtful common law title, the authority of statute: declaration is legislation, not adjudication; it is not the opinion of the legislature on a doubtful point of law; it is the act of the legislature settling that doubt by a law. Parliament speaks laws, not opinions; and when Parliament declares, it wills: to say that a declaratory act leaves the law as it finds it, is not law; it leaves the law as it declares it: the judges must take the law from the Parliament, they must not look back to the common law. Declaration by Parliament is law; negation is law: the common law is lost in the statute and identified, and the repeal of the statute is the repeal of any common law on the subject; and of such high authority is the statute, that, though it departed from the common law it professed to declare; you must abide by the statute.

Blackstone, on the subject of the law in question, viz. on the declaratory act of George the First, says, "it settled the question," "and is the ruling law in the case:" this is the act which Mr. Flood denies to be any law at all. Mr. Flood observes, that the repeal of this act does not repeal the law, but the declaration; what is the declaration? it is not adjudication; it is not the vote of the two Houses of Parliament;

it is a law-making word, by force of which the 6th of George the First is an act of parliament; the declaration is what, in enacting laws, enactment is; the legislative term that makes the statute. What is the repeal? it is the repeal of the legislative word that makes the statute, that is, the repeal of the statute, otherwise the 6th of George the First would be in existence; but the repeal speaks for itself, "Be it enacted that the 6th of George the First:" it does not say the declaration, but the act, "and all the things therein contained, be repealed." Enactments are not laws, they make them; properly speaking, declarations are not laws, they make them: the law repealed in this case, is the 6th of George the First, "Be it enacted that the 6th of George the First be repealed." What is that law? the title of England to bind Ireland declared by Parliament. What is the repeal of that law? the abrogation of that title? it is the legal mode of doing away that title; "Be it enacted that Ireland is subordinate, and that England hath and ought to have a right to make law for Ireland." "Be it enacted, that said law in all its parts be repealed;" the former sets up the title, the latter sets it aside.

Observe, repeal is not to abrogate a declaration; it is not to withdraw the authority of Parliament from the common law alleged; it is to exercise the authority of Parliament, and to abrogate the statute; and let it not be said that the common law title remains after the statute title has been abolished, for you cannot set up at common law the same title which a statute of repeal has abrogated; the statute rules the common law; nor let it be said, that the common law title stands after the repeal of the 6th of George the First, as it did before the repeal of that statute; before it was a title doubted; it is now a title disclaimed. You will observe, that the question has been put in issue; the common law title is set forth in the statute; and common law and statute law title is one proposition; it is the same title, and when you abrogate one, you abrogate both: the common law title is set up by one act of parliament, and set aside by the other.

Mr. Flood observes, that the declaration is repealed; then, it is a law, for repeal does not apply to a mere opinion of Parliament, but to law. What is this declaration that he allows to be repealed? it is, "that the kingdom of England had, hath, and ought to have a power to bind Ireland:" this is the principle, and this the alleged common law right and title of England; it is not an assertion of title by Parliament, it is a law and a title made by Parliament; for to declare, is to enact, or make a law; and to repeal, is to abrogate the law and title so declared and made; not to abrogate what Parliament says, but what Par-

liament does, — its acts: then the case of the repeal amounts to this, "Be it enacted, that the common law right and title declared by the 6th of George the First be repealed;" the declaratory act is the common law declared, the repeal of the declaratory act is the common law repealed. When a motion is thus, "Be it declared, that the Parliament of England hath a right to bind Ireland," the question is on the declaring; but when you have declared, and the motion is put, that you agree in the declaration, the question is then on the merits, — title or no title.

Mr. Flood observed, that the Parliament of England might revive her claim; it was answered, no, not consistently, because she had disaffirmed the existence of any title, and because she had done so under an adjustment; there was an adjustment between the two countries, and the Parliament was put in covenant: this was the case of the Methuen treaty. He said the repeal was simple; no, it is conventional; the convention is not recited in the act, because that was not the proper place for it; it is a treaty of which the repeal is a part; it is to be found, however, in the rolls of parliament.

By simple repeal, they mean repeal without preamble; and by preamble, they mean acknowledgment of British usurpation by England: and first, that was impossible to obtain, and secondly, that was unnecessary, for disaffirmance of title does not become more complete or legal by assigning the reasons for making it.

But Mr. Flood said, that he required a legal security in the laws of England against her parliament: a species of blunder this, to look for legal security against the legislature in the municipal laws of the land which that legislature makes or unmakes at its pleasure: The legislature can as legally repeal an act of renunciation as make it; but there is a legal security against the Parliament, which you cannot find in the law of the land, but which is legal security notwithstanding; that is, the faith of conventions, which you have in the case before you: you have two securities, first, that England has legally disclaimed her title; secondly, that she has done so under an adjustment with Ireland, which puts her parliament in covenant, and gives you the legal security of the law of nations against the revival of her claim.

Mr. Flood observes, that we should have required of the British Parliament to acknowledge her usurpation: we certainly should not, and that for the following reasons; first, that acknowledgment of her usurpation would not have been what he required, a legal bar to her resumption; secondly,

that a disclaimer of her title, under a national covenant, rendered such an acknowledgment unnecessary; thirdly, because it was impossible to obtain it; and, fourthly, because it would have been criminal to ask it; criminal to suffer the conventional disclaimer of her title to wait until she was ready to acknowledge herself a usurper. It was said, that the authority of the lawyers were against us; what authority? the lawyer's corps! And we have in our favour, the Chief Justice of the King's Bench, the Chief Justice of the Common Pleas, the Chief Baron of the Exchequer, Mr. Hussey Burgh, and Lord Yelverton; they were sent for by the Castle to give their opinions on this subject, and they gave their opinions at length, and agreed that the repeal of the 6th of George the First did away the title of England. I was at the meeting with several others; I beg to add, that Mr. Hussey Burgh was the Chief Baron who attended; I beg to mention in addition, Mr. Burke, who writes as follows: speaking of a declaratory act, he says, "that if a declaratory act were repealed, it would be a denial of legislative power, as extensive as the affirmation in the act declared."

But there is another argument which time has produced, and which furnishes me with ample justification; it is the measure which these gentlemen produced, and with which they were satisfied; namely, an English act of parliament, not declaring its usurpation—not renouncing its right, but exercising, in the most plenary manner, that usurped legislative power, and settling the Irish constitution by the authority of the British parliament.

I beg to conclude by saying, that the repeal of a declaratory law is the repeal of an act of parliament; secondly, that the declaratory law in question is the title of England to bind Ireland, declared by Parliament; thirdly, that the repeal of that law is the disaffirmance of that title; fourthly, that a title disaffirmed by statute, cannot be set up at common law.

No IV.

MR. FLOOD'S DEFENCE.

MR. FLOOD ENTERS INTO A STATEMENT OF HIS CONDUCT, IN REPLY TO MR. GRATTAN'S ANSWER TO HIS SPEECH ON THE 28TH OF OCTOBER, 1783.

November 1. 1783.

SIR, I wish to take the earliest opportunity of speaking a few words to you, and addressing a few to the House, upon the situation in which I left this House last Tuesday. You heard, Sir, and the public heard me, the subject, as I think, of an unwarranted attack. I rose to defend myself, I am sure, with temper. I am not lightly moved; and, I think, I should be lightly moved, indeed, if I could have been moved by that. I was, however, interrupted, though I did not bring any fictitious subject before you, or set out without the least appearance of any argument; in consequence of this interruption, Sir, I left the House; but soon after, I understand, that the House thought proper to say, they would give me liberty to proceed, and I wish to take the earliest opportunity of returning them my thanks for that permission; at the same time, Sir, that I return my thanks for that permission, I hope they will suffer me to render it not an empty indulgence, but, upon the present occasion, to take up the subject where I left it the last night.

(Mr. Toler rose to order; but Mr. Flood proceeded):

I hope gentlemen will not interrupt me: when they find me going out of order, when they hear me drawing fictitious characters, let them stop me; when I say any thing unparliamentary, — when I endeavour to recall the asperity of that day, which, whilst I despise, I must disapprove, I rise in defence of what I think an injured character. As I have endeavoured to defend the rights of this country for twenty-four years, I hope they will permit me to defend my reputation.

My life, Sir, has been divided into three parts, and it has been dispatched by three epithets: one part, Sir, that which preceded Lord Harcourt's administration; another, which

passed between Lord Harcourt's and Lord Carlisle's; and the third, which is subsequent. The first has a summary justice, or injustice done to it, by being said to be intemperate; the second is treated in like manner, by being said to be venal; and the conduct of the third is said to be that of an incendiary.

(Mr. O'Hara, to order. "It is against order to speak of what passed on a former day, not that any thing the honourable gentleman has said now is improper, but that the order of the House forbids a reference to the debates of a former day.)"

Mr. Flood. I take this matter up upon the ground of an interrupted debate; it is in that light it comes within order. I have a right to begin where I was interrupted; but, Sir, there are some cases of so particular a nature, that a strict adherence to a general order would be the height of injustice The attack made upon my person went back, not only to the arguments of two or three days before, but to the conduct of twenty years antecedent; therefore, Sir, I hope, that if animadversions of twenty years are allowed to one, I may have an opportunity of referring to arguments used three days ago. With respect to that period of my life which is dispatched by the word intemperate, I beg gentlemen would consider the hard situation of public characters, if that is to be their treatment; that period takes in a number of years, not less than sixteen, in which there were five administrations, and in which the public were pleased to give me their sentence of approbation. Sir, it includes, for I wish to speak to facts, not to take it up upon epithets, — it includes the Duke of Bedford's, Lord Halifax's, the Duke of Northumberland's, Lord Hertford's, and Lord Townshend's.

Now, Sir, as to the fact of intemperance, I will state to you how that stands, and let the gentleman see how a plain tale shall put him down. Of those five administrations, there were three to which I was so far from giving an intemperate opposition, that I could not be said, in any sense of the word, to oppose them at all; I mean, the three first. I certainly voted against the secretary of the day, but oftener voted with him. In Lord Hertford's administration, I had attained to a certain view and decided opinion of what was fit, in my mind, to be done for this country. I had fixed upon three great objects of public utility. I endeavoured to attain them, with that spirit and energy with which it is my character and nature to speak and to act; as I must take the disadvantages of my nature, I will take the advantages of it too. These three great objects were resisted by that administra-

tion: what was the consequence? A conflict arose between that administration and me; but that conflict ought not to be called opposition on my part; no, it ought rather to be called opposition on their's; I was the propounder, and they resisted my propositions. This may be called a conflict, not an opposition to that administration. What were those three objects? One was, to prove that the constitution of Parliament in this kingdom did still exist; that it had not been taken away by the law of Poynings, but that it was an infamous perversion of that statute, by which the constitution had suffered. The other was, the establishment of a constitutional military force in superaddition to that of a standing army.

The only idea that ever occurred to England, or any free country of Europe, I adopted, namely, that of a constitutional militia. At that time the idea of a volunteer force had not arisen, therefore, I adopted the idea which at that time appeared to be the best. The third great object I took up as necessary for this country, was a law for limiting the duration of parliaments. These were three great, salutary and noble objects, worthy of the enlarged mind of an enlarged country. I pursued them with ardour, I do not deny it; but I did not pursue them with intemperance; I am sure I did not appear to the public to do so; they gave my exertions many flattering testimonies of their approbation. There is another proof that I was not intemperate; I was successful; intemperance and miscarriage are apt to go together, but temperance and success are associated by nature. This is my plain history with regard to that period. The clumsiness or virulence of invective may require to be sheathed in a brilliancy of diction, but plain truth and plain sense are best delivered in plain terms.

I now come to that period in which Lord Harcourt governed, and which is stigmatized by the word venal. I say, Lord Harcourt's, for, in my consideration of his administration, I will include that of Lord Townshend. If every man who accepts an office is venal, and an apostate, I certainly cannot acquit myself of the charge, nor is it necessary: I should have so many associates in the crime, if ever there was a crime in what multitudes would defend. I am sensible, multitudes and majorities would not be wanting to defend that. But, I say, either it is a crime or it is not; if it be a crime universally, let it be universally ascribed. But, Sir, I say, it is not fair that one set of men should be treated by that honourable member as great friends and lovers of their country, *notwithstanding* they are in office; and another man, because he was in office, should be treated as an enemy and an apostate? But what is the truth. Every thing of this sort depends upon

the principles on which office is taken, and on which it is retained: with regard to me, let no man imagine I am preaching up a doctrine for my own convenience; there is not a man less concerned in the propagation of it. I have no treaty with the right honourable gentleman on the floor, nor shall I have any.

Now, Sir, I shall beg leave shortly to state the manner in which I accepted that office, which I give you my word, I never will resume. It was offered to me in the most honourable manner, with an assurance not only of being a placeman for my own profit, but a minister for the benefit of my country. My answer was, that I thought, in a constitution such as ours, an intercourse between the prince and the subject ought to be honourable, the being a minister ought to redound to a man's credit; but I lamented that it often happened otherwise: men in office often gave up those principles which they maintained before. I told them, therefore, that my objections were not to the going into office, but to following the examples which I had sometimes seen before me. I mentioned the public principles I held. I said, if consistently with those principles, from an atom of which I would not depart, I could be of service to His Majesty's government, I was ready to be so. I speak in the presence of men who know what I say. After the office had come over, and landed in this kingdom, I sent in writing to the chief governor, that I would not accept the office, unless upon that principle.

Thus, Sir, I took office; the administration before, I opposed only in part of it; in the first session of Lord Townshend, I did not oppose; I never opposed Lord Townshend till after his prorogation and protest: this appeared to me an infamous violation of the privileges of Parliament. With regard to money-bills, and after that protest by which he endeavoured to make the journals of the House of Lords, instead of being the record of their privileges, the monument of their disgrace, I opposed him: now, what did I oppose in that administration? The violation of the privilege of this House, with regard to money-bills, and the wanton augmentation of offices, by the division of the board of commissioners into two parts. In Lord Harcourt's administration, what did I do? I had the two boards of commissioners reduced again into one. I do not say my single voice effected this, but, as far as it had any efficacy, it insisted on having the twelve commissioners again reduced to seven, and the two boards to one, — a saving, including the whole arrangement, of twenty thousand pounds a-year to the nation; it went further, it insisted to have every altered

money-bill thrown out, and Privy Council money-bills not defended by the Crown. Thus, instead of giving sanction to the measures I had opposed, my conduct was, in fact, to register my principles in the records of the court, to make the Privy Council a witness to the privileges of Parliament, and to give final energy to the tenets with which I commenced my life.

Economy did not stop with the reduction of the commissioners boards. The right hon. gentleman who has censured me, in order to depreciate that economy, said, that "we had swept with the feather of economy the pens and paper off your table;" a pointed and a brilliant expression is far from a just argument. This country has no reason to be ashamed of that species of economy, when the great nation of Great Britain has been obliged to descend to an economy as minute. Neither, Sir, was this all: it is not my fault if infinitely more was not done for this country upon that occasion; they were offered a saving: they did not chuse to take it; they were offered the absentee-tax, and they refused it. I am not to blame for that: it was part of the saving proposed. If administration were wrong on that occasion, they were wrong with the prejudices of half a century; they were wrong with every great writer that had ever written upon the subject of Ireland; they were wrong with some of the plainest principles, as it seems, of human nature, in their favour. I will suppose the determination not to accept it, to have been right, still it was meritorious in administration to offer it; and to shew that I was not under any undue influence of office, I appeal to the memory of many men present, whether, when the disposition of the House was made to alter upon that subject; and when administration yielded, not unwillingly, to the violence of Parliament, I appeal to the conscious and public knowledge of many, whether I did veer and turn about with the secretary, or whether I did not make a manly stand in favour of that principle, after having pledged myself to the public? I would rather break with a million of administrations than retract?

I not only adhered to it, but by a singular instance of exertion, I forced it a second time under the consideration of this House. That this benefit was lost to this country, if it be a benefit, it was not my fault. One thing I must go back to; I had repeatedly pressed the bill for limiting the duration of parliaments. In Lord Townshend's time, I brought it in finally, and crowned it with success: thus, I restored to the universal community of Ireland, a right of which they had been robbed for near a century, namely, their first and fun-

damental franchise as electors, without which this House is but a shadow. And thus, after having restored that root of all their other rights in Lord Townshend's administration, after having restored economy, and reduced twelve commissioners to seven in Lord Harcourt's, I went on to the other great measure which I have mentioned, the militia law; and when a right honourable gentleman (Mr. Ogle) moved that question, I engaged all the interest I could with Government in behalf of it; I rose up to second his motion, and declared I would support him and his militia bill to the last; accordingly, I gave him the assistance of my poor labours, and it was carried. Thus, therefore, Sir, I say, that in that administration in which I accepted office, instead of relinquishing my principles, I preserved them; instead of getting a minority to vote for them, I brought the majority to give an efficient sanction to their truth, by entering into office upon that occasion, and acting as I did; I acted the part of an honest minister between the prince and the people; in doing so, I think I was more a patriot than if, out of office, I had made empty declamations on empty subjects, without any advantage to the public.

Most of those who hear me, can recollect the state of this kingdom at the close of Lord Townshend's administration: I appeal to them all, and I ask what was then my repute in the nation; I will not say it was the first, or the second, or the third; but did it not stand in an honourable rank, and among the foremost rather than among the last? In Lord Harcourt's government, the vice-treasurership was offered to me, accompanied with every declaration that could render it acceptable to an honourable mind. When that office was offered to me, was my situation that of a reprobated man? Did the administration of England send over an office usually reserved for the Parliament of England, and offer it of their own accord, to a reprobated man? I take the facts of both countries to disprove this calumny. Is it since, I have become a mark of obloquy? I flatter myself not. Lord Buckinghamshire's administration succeeded. With regard to Lord Harcourt's administration, the objection is, I did too much; the charge with regard to the other is, I did too little for it: those two accusations run a little in contrary direction, and like a double poison, each may cure the operation of the other: but the fact is this, I acted not upon visions and imaginations, but on sound common sense, the best gift of God to man; which then told one, and still whispers, that some administrations deserve a more active support than others; that some administrations deserve a more active opposition than others, and that some deserve little of either. I adapted my conduct

to those three conditions. I did not run headlong against Government at one time, and with Government at another; but adapted my conduct, as I ought to do, to what I saw, and what I felt. Did I support Lord Harcourt? why? Because he gave me an influence in his councils.

It is nonsense to say, a man is not to support his own councils: but the next administration took another direction, and they did not give me any influence on their councils. What was the consequence? I did not give them support. Was there any thing more fair? I felt myself a man of too much situation to be a mere place-man. If not a minister to serve my country, I would not be the tool of salary. What was the consequence? I voted with them in matters of importance, when they were clearly right; I voted against them in matters of importance, when they were clearly wrong; and in matters of small moment, I did not vote at all: and why? I scorned, by voting for them in such matters, to seem to pay court: to vote against them in such matters would have been absurd. What remained? Not to vote at all. If you call that absconding, going benind the chair, or escaping into the corridore, call it what you please, I say it was right. This is my plain way of dealing; it is common sense. I told Lord Buckinghamshire, I would not attend the cabinet councils of the sage Mr. Heron. Was that duplicity? I think not. I did more; I sent my resignation to England, to the same friend through whom the first communication was made to me on the subject of office; but, from ideas of friendship to me, he took time to consider, and, at length, declined to deliver my resignation.

I have said something to the middle period. I shall come to the third, viz. Lord Carlisle's administration, in which my conduct has been slandered as the conduct of an incendiary; when that idea took place in some minds, I cannot tell, but this I am sure of, that the right honourable gentleman who censured me, was called an incendiary at that time, and so perhaps might I; but I am sure the right honourable gentleman at that time did not think me an incendiary any more than himself; there was not a single instance in which he did not co-operate. If I am an incendiary, I shall gladly accept, therefore, of the society of that right honourable gentleman, under the same appellation: but he laughed at the folly of the accusation at that time, and so do I now. If I was an incendiary, it was for moving what the Parliaments of both kingdoms have since given their sanction to: if that is to be an incendiary, God grant I may continue so.

In this administration it was, that I was dismissed from office; now, Sir, I do not know that, in general, my dis-

mission from office was thought any disgrace to me: I do not think this House or the nation thought me dishonoured by that dismission. The first day I declared those sentiments for which I was dismissed — *I remember it well* — I thought it for my *honour;* some very honourable and worthy gentlemen, some since dead, and some still alive, one of them whom I shall ever love, and shall ever lament; one of them, dead since to every thing but his own honour, and the grateful memory of his country; one of them, who thought me so little of the character of an incendiary, that he crossed the House, together with others, to congratulate me on the honour of my conduct, and to embrace me in open parliament. At that moment, I think, I stood clear of the imputation of being an incendiary. The character of an incendiary, therefore, seems to have been superinduced upon me of a sudden; it has sprouted out and germinated from that root of much evil, the simple repeal; since that moment only, it seems, that I have been going down in the opinion of the public; since that moment they have found out my character and conduct deserve all reprobation, and deserve the brand of being an incendiary; and yet I can hardly prevail upon myself to think that this is the case; because, since that moment, I have received more honourable testimonies from every corner of the kingdom, than that right honourable member has received in the same period.

I shall return once more to the sentiments of that beloved character I have just described *: he was a man, over whose life, or over whose grave, envy never hovers: he was a man, wishing ardently to serve his country himself, but not wishing to monopolize the service, wishing to partake and to communicate the glory of what passed: he gave me, in his motion for a free trade, a full participation of the honour. Upon another occasion, he said, — *I remember the words;* they are traced with the *pencil of gratitude on my heart:* he said, "that I was a man whom the most lucrative office in the land had never warped in point of integrity." The words were marked; I am sure I repeat them fairly: they are words I should be proud to have inscribed upon my tomb. Consider the man from whom they came; consider the magnitude of the subject on which they were spoken; consider the situation of the persons concerned, and it adds to, and multiplies the honour.

My noble friend, I beg pardon, he did not live to be ennobled by patent, but he was born ennobled by nature; his situation at that moment was this: he had found himself obliged to surrender office, and enter into active opposition to

* The Right Honourable Walter Hussey Burgh.

that Government from whom he had received it. I remained in office, though under the circumstance of having sent my resignation; that he did not know: in political position, therefore, we were contradistinguished to each other: he did not know, while he was doing justice to me, but that he might be doing political detriment to himself; he did not know but he might serve the administration he opposed; but, careless of any thing except justice and honour, he gave the sentiments of his heart, and he approved. — I have mentioned, Sir, that short period, during which the character of an incendiary, if at all applicable to me, must have come upon me in the night, like any enemy, and have taken me unawares. I cannot think the opinion of the public so transformed, when I see every corner of the country expressing their approbation of my conduct; one after another, great and respectable societies of men, compared with whose sentiments the obloquy of an individual sinks into nothing. Even this very day, I have received from the united delegates of the province of Connaught, an approbation, with one voice, as they express it, of that conduct which has been slandered as the conduct of an incendiary. Here is a congregation of men, not one of whom I have ever seen; to none of whom I have ever a chance of doing a service; who could have nothing in contemplation, but the doing an act of justice. Sir, I may say, I had the same sanction from another province, that of Ulster. But it seems I went to Belfast in the character of an incendiary: I went to Dungannon in the character of an incendiary. Now, I went to neither of those places but by an invitation; and, if a person invited be an incendiary, what must those be that give the invitation? If I am an incendiary, all Ulster is an incendiary; if I am incendiary, all Connaught is an incendiary: with two provinces, therefore, at my back, and with the Parliament of England behind me, in their having coincided honourably and nobly in that sentiment, which I sustained, I think I am not much afraid of any single and solitary accusation. But I have not only the Parliaments of both kingdoms, — I have the judicial power in my favour. If my doctrine was not right, Lord Mansfield's conduct was not right? I ask you, was he wrong? It has been said, he was the enemy of both countries on that occasion. But has the accusation been proved? Lord Mansfield has many political enemies. The administration at that time would have been glad to have proved him an enemy to both countries; yet, was there a man in the Parliament of England, the greatest enemy to that noble judge, who attempted to find fault with his conduct? After having mentioned the judicial

power, let me come to a highly respectable body, the corps of lawyers in this country, who, after six months' meditation by a committee chosen by ballot, gave their sanction to that opinion, which is the opinion of an incendiary, if I deserve that name. If Lord Mansfield be an incendiary, if the Parliament of England be an incendiary, if the corps of lawyers are incendiaries, if the Ulster delegates are incendiaries, if the Connaught delegates are incendiaries, and all the societies who have joined that opinion throughout the kingdom, if all of these be incendiaries, in the name of God let me be added to the number, and let me be an incendiary too: but though I may be *such* an incendiary, I will never be that which would deserve the name; I will never, by any hollow composition, lay the seeds of future dissention: I will go clearly and fully to the work: I will be satisfied, when satisfaction is given; my nature is as prone to satisfaction, and as distant from chagrin as that of any man. I appeal to those who know me from my childhood, first, at a public school, then at the university of this kingdom, then at the university of Oxford, and afterwards, during twenty-four years, taking no very private part within the walls of this House — I have spoken to facts. I do not mean to arraign; any man may be mistaken, and I wish to suppose any man to be really mistaken rather than to be so intendedly. I would rather reconcile all men to the public, than make unnecessary divisions. But though I would do every thing a man can do to prevent dissention, I cannot be expected to sacrifice my character to unlimited obloquy.

Sir, one circumstance I must mention, as it is somewhat extraordinary. It has been said by some authority on that side of the question, that I am the outcast of Government and of my prince: certainly, Sir, my dismission from office was attended with the extraordinary circumstance of my dismission from council; therefore, I suppose it is, that the right honourable member has called me the outcast of Government and of my prince. It certainly, Sir, was an extraordinary transaction; but it was done in the case of Mr. Pulteney, it was done in the case of the Duke of Devonshire; therefore, I suppose it will not be a decisive proof of any reprobated or factious character in the person to whom it happened. It is the first time it has been mentioned to my disadvantage. It was in the House of Lords of England, mentioned to the disadvantage of the minister who was supposed to have done it by a most respectable character; it was thought not to my dishonour here; it was thought not to my dishonour in the House of Lords of Ireland, where I have lately received from a very eminent

peer, the sanction of sentiments very different from these. In a word, it is but the sentence of one tongue, and upon that tongue I leave it. I do not, however, pretend to dispute a ministerial fact, which a gentleman in confidence alleges. He has been in the confidence of the Duke of Portland; he is as much a minister as any man who is not in office.

Thus much, therefore, I must give to this ministerial assertion, that I shall find it impossible for me, under such an interdict, to pay my respects at His Majesty's Castle of Dublin, which otherwise I should be prompt to discharge; and I mention it thus publicly, that my absence may not be interpreted into any want of the most perfect duty and loyalty to my prince, or of the greatest respect to the nobleman who presides there. I am not a man formed to court proscription; I will not seek disgrace; let it remain in its den; I will not revoke it. . . .

Sir, I have trespassed too long, and I am oppressed with the weight and multitude of thanks which I owe you and the House; I have troubled you too long upon a private subject, but, with your permission, I will endeavour to make amends on the next day, by bringing before you a subject of more importance, — the economy of the nation. I beg pardon for what I have said; I have promised too much; I am in your judgment whether I shall do it. You have heard what has passed upon my subject; I appeal to you, if I am that character that has been drawn; if I am that character in any degree, do not deprecate your justice; but I call for it, and exhort you, for yourselves and your country, to get rid of a member who would be unworthy to sit among you.

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